EAST GIPPSLAND
SHIRE COUNCIL

Council Meeting Agenda



Tuesday 17 November 2026 at 6.00 pm
Council Chambers (and by video conferencing)
East Gippsland Shire Council Corporate Centre
273 Main Street, Bairnsdale 3875



Acknowledgement of Country

Council acknowledges the Traditional Owners and custodians of this land and pays deep respect to all First Nations peoples and communities with enduring cultural connections to East Gippsland, who have cared for and nurtured Country for tens of thousands of years.

We honour and celebrate the rich diversity, living cultures, and ongoing contributions of all First Nations peoples who live, work, visit, and play across East Gippsland.

We also acknowledge the many First Nations communities who, together, continue to shape and contribute to the region we know as East Gippsland. The place where we, as Local Government, deliver services and support to our community.

Council information

East Gippsland Shire Council live streams, records and publishes its meetings via webcasting (youtube.com/c/EastGippyTV) to enhance the accessibility of its meetings to the broader East Gippsland community.

These recordings are also archived and available for viewing by the public or used for publicity or information purposes. At the appropriate times during the meeting, any members of the gallery who are addressing the council will have their image, comments or submissions recorded.

No other person has the right to record Council meetings unless approval has been granted by the Chair.

In line with the *Local Government Act* 2020, Councillors are able to attend Council meetings electronically or in person and the meetings will be open to the public via livestreaming.

Members of the public are invited to view the Council Meeting livestreamed by following the link on Council's website or Facebook page.

Councillors

Cr Jodie Ashworth (Mayor)
Cr John White (Deputy Mayor)
Cr Arthur Allen
Cr Sonia Buckley
Cr Tom Crook
Cr Barry Davis
Cr Joanne Eastman
Cr Bernie Farquhar
Cr Ian Trevaskis

Executive Leadership Team

Fiona Weigall Chief Executive Officer
Stuart McConnell General Manager Assets and Environment
Sarah Johnston General Manager Business Excellence
Kellinde Chester Acting General Manager Projects and Planning
Prue McTaggart Executive Manager Place and Community

Purpose of Council meetings

(1) Council holds scheduled meetings and, when required, unscheduled meetings to conduct the business of Council.
(2) Council is committed to transparency in decision making and, in accordance with the *Local Government Act 2020*, Council and Delegated Committee meetings are open to the public and the community are able to attend.
(3) Meetings will only be closed to members of the public, in accordance with section 66 of the Act, if:
    (a) there are clear reasons for particular matters to remain confidential; or
    (b) a meeting is required to be closed for security reasons; or
    (c) it is necessary to enable the meeting to proceed in an ordinary manner.
(4) A meeting closed to the public for the reasons outlined in sub-rule 3(b) or 3(c) will continue to be livestreamed. In the event a livestream is not available:
    (a) the meeting may be adjourned; or
    (b) a recording of the proceedings may be available on the Council website.

Governance Rules

A copy of East Gippsland Shire Council's governance rules can be found at https://www.eastgippsland.vic.gov.au/council/council-policies

Councillors Pledge

As Councillors of East Gippsland Shire Council, we solemnly and sincerely declare and affirm that we will consider each item on this agenda in the best interests of the whole municipal community.

Vision

To foster inclusive, connected, communities and places where all East Gippslanders prosper, and endeavour not to leave anyone behind.

Our Strategic Themes

1. Community Wellbeing and Social Responsibility
2. Prosperity
3. Making the Most of What We've Got
4. Managing Council Well

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1 Procedural

1.1 Recognition of Traditional Custodians

Council acknowledges the Traditional Owners and custodians of this land and pays deep respect to all First Nations peoples and communities with enduring cultural connections to East Gippsland, who have cared for and nurtured Country for tens of thousands of years.

We honour and celebrate the rich diversity, living cultures, and ongoing contributions of all First Nations peoples who live, work, visit, and play across East Gippsland.

We also acknowledge the many First Nations communities who, together, continue to shape and contribute to the region we know as East Gippsland. The place where we, as Local Government, deliver services and support to our community.

1.2 Apologies

1.3 Declaration of Conflict of Interest

1.4 Confirmation of Minutes

The Minutes of the Council Meeting held on 20 October 2026 are presented for confirmation.

An administrative error was identified in the recommendation presented to Councillors for Item 5.2.1, *Agriculture Sector Advisory Committee Unconfirmed Minutes 13 August 2026 and New Member Appointment*, relating to the dates for the extension of Committee appointments.

The Minutes accurately reflect the resolution made by Council. A further resolution is therefore required to correct the appointment extension period.

Recommendation

That Council *confirms the Minutes of the Council Meeting held on 20 October 2026 with the following change:*

1. ***amends part 1 of its resolution for Item 5.2.1 – Agriculture Sector Advisory Committee Unconfirmed Minutes 13 August 2026 and New Member Appointment, by replacing the words "from 1 November 2026 to 31 December 2028" with "from 1 January 2028 to 31 December 2029".***

1.5 Next Meeting

The next Council Meeting scheduled is to be held on Tuesday 15 December 2026 at the Corporate Centre, 273 Main Street Bairnsdale commencing at 6.00 pm.

1.6 Requests for Leave of Absence

1.7 Service Award Acknowledgement

Council congratulates Cr John White on achieving 10 years of service as a Councillor with East Gippsland Shire Council who was recently recognised by the Municipal Association of Victoria, and acknowledges his ongoing service and contribution to the East Gippsland community.

1.8 Condolences

That Council acknowledges the recent passing of Mr Albert Ah Yee, who had a lifelong connection to the Eagle Point and Paynesville communities, and extends its condolences to his family.

1.9 Open Forum

1.9.1 Petitions

1.9.2 Questions of Council

1.9.3 Public Submissions

1.10 Items for Noting

2 Notices of Motion

3 Deferred Business

4 Councillor Delegate Reports

5 Officer Reports

5.1 Assets and Environment

5.1.1 Proposed Council-owned Land for Sale

Authorised by General Manager Assets and Environment

Purpose

To seek a resolution on the proposed sale of eight Council-owned properties. Council Officers have identified these properties which are no longer required for municipal or public use and therefore are able to be offered for proposed sale. These properties have been assessed based on their location, zoning, surrounding land use and other relevant factors that may affect their viability for proposed sale on the open market.

Recommendation

PART A

That Council:

1. ***determines that the properties described below are not required for public access or any other municipal or strategic use:***

Property	*Location*	*Size (square metres)*
A	*9 Gays Access Road Club Terrace*	*2,103.88*
B	*3 Princes Highway Cann River*	*5,147.48*
C	*6 - 8 Staunton Street Lakes Entrance*	*1358.90*
D	*1 Tyson Street Cann River*	*1,386.85*
E	*1A Bredt Street Bairnsdale (excludes walking track)*	*16,174.00*
F	*321A Depot Road Omeo*	*13,947.00*
G	*217 Bonang Road Bonang*	*373.96*
H	*145 Bung Bung Lane Benambra*	*36,416.00*

2. ***gives notice of its intention to sell the properties identified in Clause 1 of this resolution in accordance with the provisions of Section 114 of the Local Government Act 2020;***

3. ***notes that in accordance with Section 3.3 of Council's Sale of Council-owned Land Policy, the properties will be sold for at least market valuation, unless Council specifically resolves otherwise;***

4. ***authorises the Chief Executive Officer or their delegates to publish a notice about the intended sale of the properties identified in Clause 1 of this resolution; and***

5. ***notes that a community engagement process will be undertaken regarding the intended sale of the properties identified in Clause 1 of this resolution.***

PART B

That Council:

6. ***offers a direct sale of the property located at 3 Princes Highway Cann River to the owners of the adjoining property at 5-7 Princes Highway Cann River, subject to the sale price being no less than market value as determined by an independent valuation;***

7. ***offers a direct sale of the property located at 321A Depot Road Omeo to the owner of the adjoining property at 321 Depot Road Omeo, subject to the sale price being no less than market value as determined by an independent valuation;***

8. ***offers a direct sale of the property located at 145 Bung Bung Lane Benambra to the owner of the adjoining property at 109 Bung Bung Lane Benambra, subject to the sale price being no less than market value as determined by an independent valuation;***

9. ***notes that the proceeds of sale of 1 Tyson Street, Cann River will be held for reinvestment in the broader Cann Valley community in line with priorities established through Council endorsed plans and strategies;***

10. ***undertake a direct sale of the property located at 9 Gays Access Road Club Terrace to the owner of the adjoining property at 8 Gays Access Road Club Terrace, subject to the sale price being no less than market value as determined by an independent valuation. Should the adjoining owner elect not to proceed with the purchase, the property may be offered for sale by public tender; and***

11. ***updates the existing Sale of Council-owned Land Policy for Council consideration to guide the use of proceeds from future sales of specific assets to works within that same district or place or for a designated community purpose.***

Key Points

Much of Council-owned property is held in public open space, roads, drainage, environmental and municipal uses. Only a small proportion of Council-owned property is used for direct Council service delivery, with a number of facilities supporting community and commercial activities.

Council Officers have identified 8 parcels of Council-owned freehold land that are not required for any operational or strategic purpose and therefore, have the potential to be sold:

Property	***Location***	***Size (square metres)***
A	9 Gays Access Road Club Terrace	2,103.88
B	3 Princes Highway Cann River	5,147.48
C	6 - 8 Staunton Street Lakes Entrance	1358.90
D	1 Tyson Street Cann River	1,386.85
E	1A Bredt Street Bairnsdale (excludes walking track)	16,174.00
F	321A Depot Road Omeo	13,947.00
G	217 Bonang Road Bonang	373.96
H	145 Bung Bung Lane Benambra	36,416.00

Freehold property is any property that Council owns outright and where Council, as owner of the land, has no time limit to its period of ownership. Property classed as freehold allows Council to sell, lease or licence the land subject to compliance with applicable laws.

In considering these properties, Council officers reviewed their location and zoning, topography and the future needs of the community and Council. The properties identified are stand-alone allotments with residential, township, commercial and farm zoning. The assessment has also included consultation with internal stakeholders.

The properties have been deemed potentially developable, suitable for grazing or cropping purposes or able to be consolidated with adjoining landowners. Council officers concluded that the 8 parcels are:

1. located within a residential or farming zone;
2. flat or gradually sloping;
3. able to be developed, consolidated with adjoining properties or suitable for grazing or cropping; and
4. not required for Council purposes now or into the foreseeable future.

Where land is surplus to Council's requirements now and in the future, prudent use of public funds supports sale of the land and reinvestment of the funds to support services for the benefit of the East Gippsland community. The report therefore recommends a policy be developed to guide how and when proceeds from land sales are to be reinvested in a particular area.

Provided at **Attachment 1 – Possible Land Sales Supporting Information** is a copy of site plans for each property with the identified history of each property, along with any other relevant information.

Considerations

1 Tyson Street Cann River

While most of the properties proposed for sale are undeveloped (or have limited structures), 1 Tyson Street, Cann River is the former Cann River kindergarten. A kindergarten service has now been established at the secondary college and so there is no foreseeable need for the site for the purposes of a children's service.

While there has been some community interest in the facility, Cann River already has a number of community facilities, including the Community Centre, the recreation reserve and the Monaro Centre (in addition to the Noorinbee Hall a short distance away).

Officers propose that the proceeds of sale of this property be held with a commitment to reinvest the proceeds in the Cann River district.

3 Princes Highway Cann River

The Cann Valley District Community Plan 2019 does not identify a current or future need for this property to be retained for community projects. The Cann Valley Walking Tracks Master Plan Final Report October 2024 (p24) identifies the proposed linkages that are required for the Bushland Reserve Rainforest Walk which commences and ends at the Cann River Caravan Park. The property at 3 Princes Highway is not required for this project as it is located on the opposite side of the Princes Highway from the Cann River Caravan Park and does not form part of the proposed trail network.

Financial

Under the *Local Government Act 2020* (the Act) Council are required to obtain a valuation from a person qualified under the *Valuation of Land Act 1960* that is dated not more than six months prior to the dealing with the land.

Due to the timing of this report, the properties are not expected to be advertised for public tender until February 2027 at the earliest. Given the cost of obtaining market valuations and the limited validity of the valuations, independent market valuations will be obtained immediately prior to the properties being placed on the market.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 3: Making the most of what we've got
Outcome – Our assets are well maintained, utilised and meet community needs.

Collaborative Procurement

There are no aspects of this report that require entering into a procurement agreement and therefore external collaboration is not applicable.

Consultation/Community Engagement/Impacts

In accordance with Council's Community Engagement Policy and the requirements of the *Local Government Act 2020*, community engagement will be undertaken prior to any decision to sell the land. This will include public notice of Council's intention to sell the land and an opportunity for interested persons to provide feedback or make a submission.

Should Council receive any feedback regarding the proposed sale of these properties, these will be reviewed by the relevant General Manager. Based on the nature and significance of the matters raised, the General Manager may determine the appropriate course of action, including consideration by the Executive Leadership Team or referral to Council for determination.

Opportunities and Risks

Opportunities

The proposed sale of the properties would generate a cash return for Council, reduce ongoing maintenance and management costs, and enable the land to be utilised for a purpose that may provide broader economic or community benefits.

Risks

The proposed sale of the properties may attract community concern regarding the loss of publicly owned land and may reduce Council's future strategic options. These risks will be mitigated through compliance with statutory requirements, community engagement, and consideration of all submissions received prior to any final decision.

If the proposed sale of land is not supported there is a risk that Council's financial resources are not used efficiently for the benefit of the East Gippsland community.

Climate Change

This report is assessed as having no direct impact on climate change.

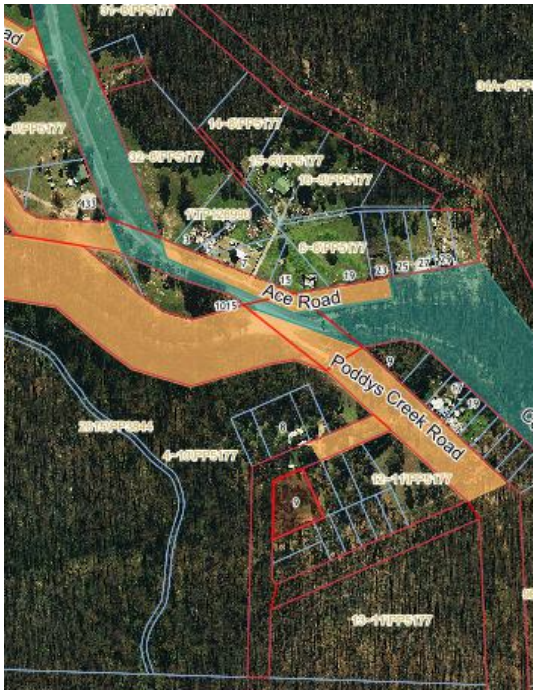
Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Possible Land Sales - Supporting Information [**5.1.1.1** - 16 pages]

9 Gays Access Road Club Terrace





History

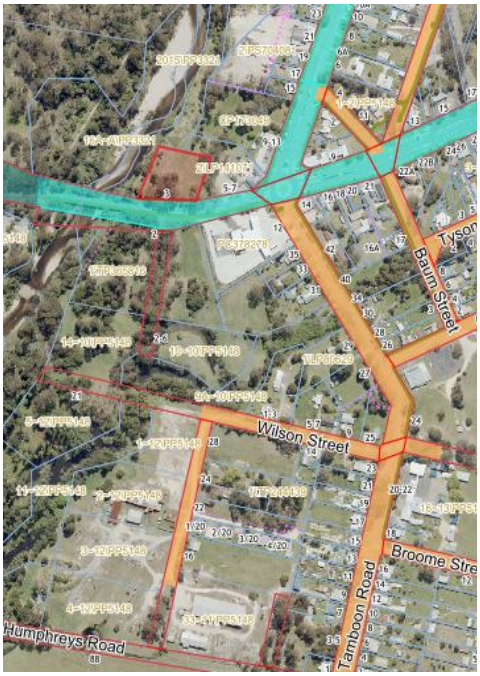
There is no information in Council records as to how Council acquired this property. It is highly likely it was acquired for unpaid rates.

The property has an unused road reserve on the north and west boundaries and has Crown land on the south and east boundaries.

The opportunity for development at this site is limited by bushfire risk.

3 Princes Highway Cann River

Location Plan



Site Plan



History

This property is adjacent to the Cann River Hotel with river frontage. When the Cann River Hotel was sold in 2003, the contract of sale omitted to include this parcel of land. This property was acquired by Council in 2003 for nil consideration, as the new owners of the Cann River Hotel did not wish to purchase this property.

This property is situated approximately 22 metres from the Cann River and at times of heavy rain this property may be subject to inundation from the river.

6 – 8 Staunton Street Lakes Entrance

Location Plan



Site Plan



History

The property is at the rear of the Gray Street Lakes Entrance carpark and is on two titles.

Lot 1 on PS084174 was acquired by the former Shire of Tambo Council in 1969.

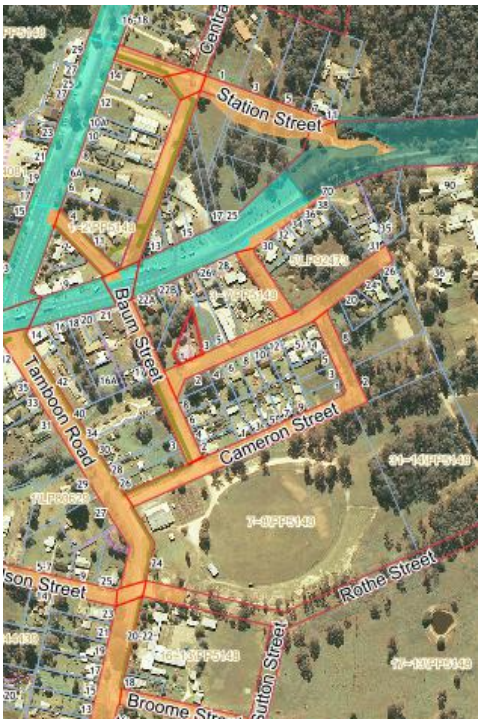
Lot 1 on TP940277 was acquired by the former Shire of Tambo Council in 1968.

As these properties were acquired over 50 years ago, Officers are unable to determine how Council obtained them.

If the two properties were able to be consolidated into one developable allotment, they could be sold on the open market – Lot 1 on PS084174 may be too small to develop in its own right.

1 Tyson Street Cann River

Location Plan



Site Plan



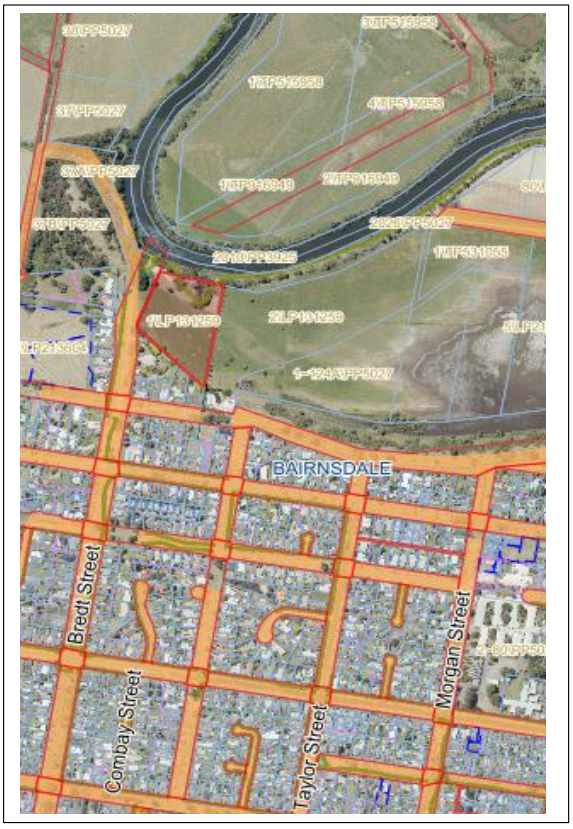
History

Formerly leased to Uniting (Vic and Tas) Ltd for the use as a preschool, the lease was surrendered in 2024 due to low enrolments. The property has been vacant since that time.

Council has owned the property since 1975.

1A Bredt Street Bairnsdale

Location Plan



Site Plan



History

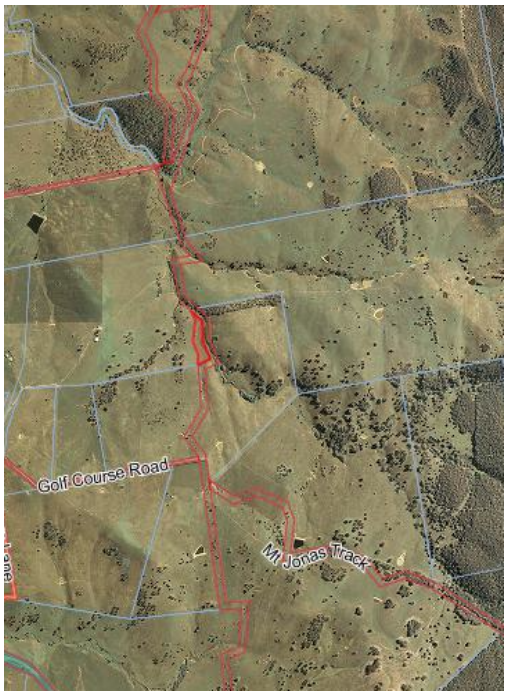
Land can only be used for cropping or grazing as it is adjacent to the Mitchell River and floods.

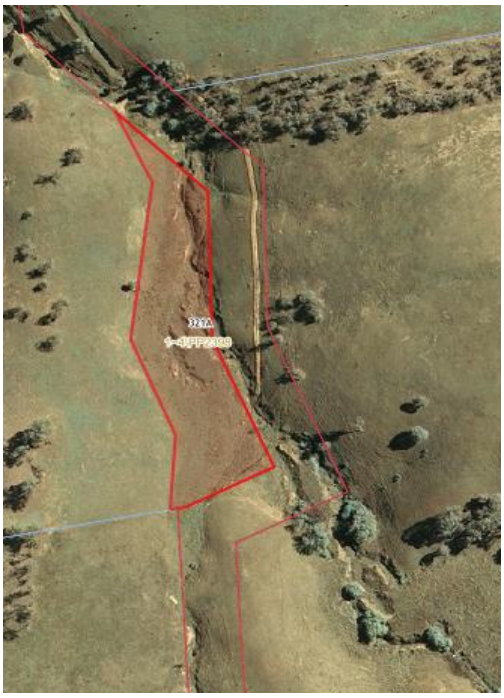
The Mitchell River walking track passes through the northern corner of the property. A plan for subdivision will need to be prepared to remove the Mitchell River walking track from the title.

This property is currently under a grazing agreement which expires in June this year.

Council acquired this property in 1988.

321A Depot Road Omeo





History

This property was acquired via a Crown grant – date unknown.
The condition of the Crown grant is:

"*Provided nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though it held the land without limitation as to depth. Excepting nevertheless unto Us Our heirs and successors all gold and silver and minerals as defined in the Mines Act 1928 in upon or under or within the boundaries of the land hereby granted. And reserve to Us to enter upon the said land and to search and mine therefor for gold silver and minerals as aforesaid and to extract and remove therefrom any such gold silver and minerals and to search for and work dispose of and carry away the said gold silver and minerals lying in upon or under the land herby granted and for the purposes aforesaid to sink shafts and make drives erect machinery and to carry on any works and to do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver and minerals and the working of all mines seams lodes and deposits containing such gold silver and miners in upon or under the land hereby granted. "*

Officers do not consider the Crown grant conditions to be an impediment to the sale of the property. The property would need to be consolidated with the adjoining privately owned land, as it does not appear to be separately fenced.

217 Bonang Road Bonang





History

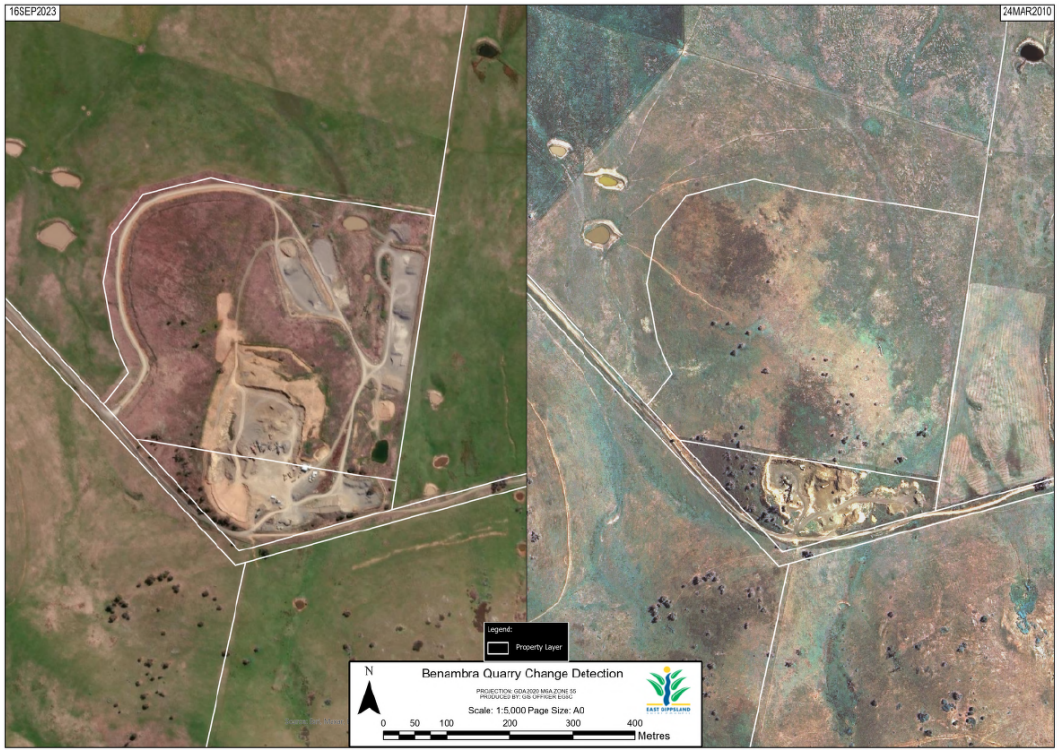
The map is out of alignment and the shed is not in VicRoads road reserve.

This property was part of a former government road.

The shed is empty. In the past this shed has been used informally by the VIC SES, Red Cross and CFA. This shed is able to be removed and repurposed if required or can be sold with the property.

Council has owned the property since 1990, when it was acquired from Phillip Edward Charles Prendergast.

145 Bung Bung Lane Benambra



2023 2010

History

The former Omeo Shire purchased the property from Mr Charlie McCallum following favourable geotechnical results from a survey of a likely source of gravel and aggregates suitable for road construction.

In 1994 when the former Omeo Shire was amalgamated with other East Gippsland Shire Council's to form what is now the East Gippsland Shire Council, the property was leased to a private operator for the extraction of the aggregate.

The property is currently leased to East Gippsland Quarries who purchased the property in 2016. The property adjoins privately owned property by the lessee who is currently extracting from both properties.

5.1.2 CON2027 1768 Bairnsdale Landfill Fire Protection System

Authorised by General Manager Assets and Environment

Confidentiality Notice

The information contained in **Confidential Attachments 1 and 2** are confidential under section 3(1) of the *Local Government Act* 2020 because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that—(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b) of the *Local Government Act* 2020, if released, the information discussed or considered in relation to this agenda item would unreasonably expose tenderers to disadvantage by disclosing commercially sensitive information.

Purpose

To seek Council approval to award Contract CON2027 1768 for the design and construction of the Bairnsdale Landfill Fire Protection System required for the existing landfill operations and future site development. The works include fire-water storage tanks, pumps, a fire ring main, hydrants, hose reels, a booster assembly, and associated civil and electrical works.

Recommendation

That Council:

1. ***awards Contract CON2027 1768 Bairnsdale Landfill Fire Protection System to the preferred tenderer identified in the Contract Award Summary provided at Confidential Attachment 1, for the contract amount specified in that attachment;***

2. ***authorises the Chief Executive Officer to approve variations to CON2027 1768 Bairnsdale Landfill Fire Protection System up to the contingency amount specified in the Contract Award Summary provided at Confidential Attachment 1, subject to the conditions specified in that attachment;***

3. ***authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents;***

4. ***notes that the contract will be funded from the existing capital project allocation and an additional allocation from the Council Waste Reserve;***

5. ***notes that the successful tenderer and contract amount will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and***

6. ***resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***

Key Points

Council must implement controls to prevent and manage fire events at the Bairnsdale Landfill and Waste Transfer Station. A dedicated fire-water supply and hydrant system is a key control that demonstrates Council is taking reasonably practicable steps to manage this risk.

A May 2025 independent review identified deficiencies in Bairnsdale Landfill's fire infrastructure, including failure of the existing fire ring main under pressure testing. Council records indicate that the current fire services infrastructure was constructed pre-2000. A replacement fire protection system is now required across operational, waste storage, resource recovery and future landfill areas.

The recommended contract award will establish a dedicated fire water supply, hydrant coverage and emergency response capability, reducing fire risk to landfill operations, Council assets, staff, contractors and the surrounding environment.

Council publicly advertised the request for tender on 29 July 2026, with tenders closing on 2 September 2026.

Tenders were assessed on price, capacity, capability, local contribution, and sustainability and environmental outcomes. The Evaluation Panel identified the preferred tenderer as offering the best overall value for money.

The project budget is to be funded by an existing allocation within Council's current capital program budget and additional funding available from the Council bushfire waste reserve.

Discussion

An independent review of the Bairnsdale Landfill fire services infrastructure was completed in May 2025. The review identified deficiencies in the existing fire infrastructure, including the current fire ring main which failed under pressure testing.

The review confirmed the need for a reliable, accessible firefighting water network across operational, waste storage, resource recovery and future landfill areas. A replacement fire protection system is required to provide a compliant, reliable network across Bairnsdale Regional Landfill for the following reasons:

- Comply with the EPA operating licence for the landfill and waste transfer station.
- Support Council's fire prevention obligations under the Environment Protection Act 2017.
- Meet CFA-confirmed requirements for continued facility operation.
- Protect staff, contractors, the community, critical waste infrastructure and the environment from fire impacts.
- Enable operation of the new on-site Resource Recovery Centre.

Council Officers engaged a qualified consultancy to complete the design of a dedicated hydrant and fire-water reticulation system to service existing infrastructure, resource recovery facilities and future landfill areas.

A public tender process has since been completed for the installation of a compliant and reliable fire protection system. The procurement used a Design and Construct contract model, covering detailed design, approvals, construction, testing, commissioning and asset handover and which allows the council to pass on the design risk to the contractor.

The Evaluation Panel recommends the preferred tenderer based on relevant project experience, practical construction methodology, and demonstrated understanding of the requirements for working within an operational landfill.

The Evaluation Panel found the pricing represented reasonable market value given the specialist infrastructure and regulatory approvals required.

This investment responds directly to the findings of independent fire safety assessments, will support CFA and Fire Rescue Victoria emergency response capability, reduce risks to Council's critical waste infrastructure, Council staff, the community and the surrounding environment.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 3: Making the most of what we've got
Outcome – Our assets are well maintained, utilised and meet community needs

Consultation/Community Engagement/Impacts

CFA and Fire Rescue Victoria (FRV) were consulted throughout the design development of the Bairnsdale Landfill Fire Protection System. Technical feedback was provided in relation to hydrant coverage and locations, fire appliance access, hardstand requirements and other fire service considerations.

CFA subsequently issued a formal Letter of Advice in January 2026, confirming general support for the proposed system subject to minor design matters being addressed. The relevant feedback has since been incorporated into the final design documentation.

Opportunities and Risks

The primary risk associated with the delivery of project may result from unforeseen ground conditions, service conflicts or design-development issues may result in additional costs. Accordingly, a contingency is to to be used only where authorised.

Construction within an operating landfill will require that works are staged and managed to minimise impacts on landfill operations and site safety. The preferred tenderer's proposal provides a practical and realistic works program to avoid disruption to site operations.

Climate Change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Legislation

Local Government Act 2020 (including ss. 8-9)

Category

Community Risk: Climate change is considered as a community risk and includes responses to direct and indirect impacts.

Emergency Management: Consideration is given to climate change in all elements of the Planning, Preparation, Response, Recovery (PPRR) process.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. CONFIDENTIAL - CON2027 1768 - Contract Award Summary [**5.1.2.1** - 2 pages]
2. CONFIDENTIAL - CON2027 1768 - Tender Evaluation Report [**5.1.2.2** - 11 pages]

5.2 Projects and Planning

5.2.1 WORLD Sporting Precinct - Environmental Offset Procurement and Funding Approval

Authorised by Acting General Manager Projects and Planning

Confidentiality Notice

The information contained in the **Confidential Attachments 1** and **3** to this report is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (g) Private Commercial Information, being information provided by a business, commercial or financial undertaking that - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Pursuant to section 66(5)(b) of the *Local Government Act 2020,* if released, the information discussed or considered as part of this agenda item would disclose commercially sensitive pricing, valuation and contractual information relating to the acquisition and establishment of the environmental offset site.

Purpose

This report seeks Council approval for expenditure above the Chief Executive Officer's (CEO) financial delegation required to purchase and establish the Stratford Environmental Offset and for the associated sole source procurement exemption.

The report does not seek a further decision on whether the WORLD Sporting Precinct works or environmental offset will proceed. It also notes Council's 10-year environmental management, monitoring and audit obligations.

Recommendation

That Council:

1. ***approves the capital expenditure allowance to purchase and establish the Stratford Environmental Offset as provided at Confidential Attachment 1, for the amount specified in that attachment;***

2. ***approves the sole-source procurement exemption for the site-specific Stratford offset, noting that the site was previously identified and secured to satisfy the WORLD Sporting Precinct Environment Protection and Biodiversity Conservation Act 1999 approval requirements;***

3. ***notes Council's 10-year obligation to manage, monitor, maintain and audit the offset and protected areas, with the associated operational expenditure to be included in the Assets and Environment budget over that period as provided in Confidential Attachment 1, for the amount specified in that attachment;***

4. ***authorises the Chief Executive Officer or delegate to raise the required purchase orders and complete the arrangements necessary to secure and establish the environmental offset; and***

5. ***resolves that the Confidential Attachments 1 and 3 in this report, and all discussions relating to them remain confidential.***

Key Points

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999 (EPBC)* approval requires Council to secure and establish the identified environmental offset near Stratford as part of the approval requirements for the WORLD Sports Precinct development. Council has already committed to delivering the WORLD Sporting Precinct and progressing the Stratford offset through previous decisions, briefings and project approvals.

The EPBC approval has now been granted. The remaining Council decision is approval of expenditure above the delegation limit of the CEO and the sole source procurement exemption needed to complete the acquisition and establishment of the Stratford offset. The offset will protect native vegetation at the Stratford site through a Trust for Nature covenant.

The EPBC approval also creates ongoing environmental management, monitoring and auditing obligations over a 10-year management period.

Detailed capital and operational expenditure allowances, funding sources and budget impacts, are provided in **Confidential Attachment 1**.

Discussion

An environmental offset protects similar native vegetation at another location to balance the vegetation which required removal as part of the final development stages of the WORLD Sporting Precinct.

Councillors were briefed on 13 February 2024 about the Stratford offset including the 10-year management requirements and the need to continue progressing the site while the Commonwealth assessment was completed. Council subsequently approved the WORLD Soccer Pavilion and Pitches construction contract on 19 May 2026, subject to the required EPBC approval, and authorised the Chief Executive Officer or delegate to finalise and execute the necessary contract documents.

The EPBC approval has now been granted and confirms the requirement to secure and manage the Stratford offset site. This report is confined to the financial and procurement approvals needed to implement that requirement.

The proposed offset

The offset located at Stratford (the Stratford site) will protect 2.721 hectares of Gippsland Red Gum Grassy Woodland and associated Native Grassland within a protected area of approximately 3.18 hectares.

The Stratford site meets the EPBC offset conditions for the WORLD Sporting Precinct. It will be legally protected through a Trust for Nature covenant registered on the land title and will be managed under the approved Offset Management Plan, as required by the EPBC approval.

The approved Offset Management Plan requires new fencing to protect the offset area from livestock. This includes replacement fencing along the western side of the offset and new internal fencing. A quote has been obtained for the fencing works, including exclusion fencing and three gateways. The fencing is included within the initial purchase and establishment cost as outlined in **Confidential Attachment 1.**

Ongoing Environment Protection and Biodiversity Conservation Act 1999 requirements

The EPBC approval, provided at **Attachment 2**, places ongoing environmental obligations on Council over a 10-year management period. These requirements include:

- five independent environmental audits,
- Council management, oversight and reporting,
- maintenance of the protected grassland,
- continued watering and pumping to the wetland,
- delineation, fencing and signage for protected areas, and
- preparation and implementation of an Environmental Management Plan.

Council must allow for the ongoing cost of meeting these conditions over the 10-year management period.

Approval required

Council approval is required because the expenditure to purchase and establish the Stratford environmental offset exceeds the CEO delegation limits and because the proposed procurement requires a sole-source exemption.

Sole source procurement is appropriate because the offset relates to the specific site identified and secured for the WORLD Sporting Precinct through the executed Memorandum of Understanding (MOU) between Council and the Stratford landowner, as provided at **Confidential Attachment 3.** The agreement identified the Stratford site as the WORLD environmental offset with a Trust for Nature covenant as the mechanism to protect the site. The offset species is difficult to source.

The Commonwealth EPBC approval subsequently confirmed Council's requirement to secure this particular offset site and implement the Offset Management Plan.

The current acquisition and establishment allowance differs from the 2024 estimate because the earlier figure was preliminary and included items that were not fully defined. Since then, the EPBC approval, Offset Management Plan, trading arrangements and establishment requirements have been finalised, enabling the allowance to be based on current known costs.

Strategic Alignment

The proposed offset purchase supports delivery of the WORLD Sporting Precinct by enabling Council to meet the environmental offset requirements associated with the project's EPBC approval.

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 3: Making the most of what we've got
Outcome – Our assets are well maintained, utilised and meet community needs

Collaborative Procurement

Collaborative procurement opportunities were considered. Due to the site-specific nature of the EPBC offset requirements and the need to secure the particular offset site identified for the WORLD Sporting Precinct, no suitable collaborative procurement opportunity with another Council or public body was available.

Consultation/Community Engagement/Impacts

The offset arrangements have been developed in consultation with the landowner, Trust for Nature, environmental consultants and relevant Council officers throughout the EPBC approval process. Officers will continue working with Trust for Nature to finalise the covenant and establishment of the environmental offset.

The ongoing environmental requirements will require coordination between Assets and Environment, environmental specialists and contractors over the 10-year management period.

Opportunities and Risks

Approving the recommendation will allow Council to:

- purchase and establish the required environmental offset;
- meet the ongoing EPBC requirements; and
- continue delivery of the WORLD Sporting Precinct.

The ongoing EPBC requirements create a long-term operational commitment for Council. Identifying this commitment now allows Assets and Environment to plan for the costs required over the 10-year management period. Failure to meet the EPBC conditions may result in Council not complying with the Commonwealth approval for the WORLD Sporting Precinct.

Climate Change

This report considers potential climate change risks and impacts relevant to the Officer recommendation and aligns with the applicable climate change functions, categories, and legislative obligations, as detailed below:

Legislation

Local Government Act 2020 (including ss. 8-9)

Category

Asset Management: Climate change is considered in the design and maintenance of assets and includes responses to direct and indirect impacts.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. CONFIDENTIAL - WORLD Cost Analysis Summary [**5.2.1.1** - 3 pages]
2. Approval Decision Notice - 2022/09215 [**5.2.1.2** - 15 pages]
3. CONFIDENTIAL - Memorandum of Understanding - Stratford Offset Site [**5.2.1.3** - 27 pages]

Australian Government
Department of Climate Change, Energy, the Environment and Water

Notification of approval decision

Re-development of Women's Organisation for Recreation, Leisure and Development (WORLD) Sport Precinct, Bairnsdale, Victoria (EPBC 2022/09215)

This decision is made under section 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act also applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

Approved Action

person to whom the approval is granted (approval holder)	East Gippsland Shire Council ABN: 81 957 967 765
Action	To develop stage 3 and associated infrastructure for the Women's Organisation for Recreation, Leisure and Development (WORLD) Sport Precinct on 99 Wallace Street, Bairnsdale Victoria see EPBC Act referral 2022/09215

Approval decision

decision	My decision on whether or not to approve the taking of the Action for the purposes of the controlling provision for the Action is as follows.	
	Controlling Provision	**Decision**
	Listed threatened species and communities (section 18 and section 18A)	Approved
period for which the approval has effect	This approval has effect until 15 April 2042.	
conditions of approval	The approval is subject to conditions under the EPBC Act as set out in Annexure A.	

Person authorised to make decision

name and position	Rachel Short Branch Head Environment Assessments (Vic and Tas) and Post Approvals Branch Environment Regulation Division

signature	
date of decision	14 May 2026

Annexure A

Note: Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them at **Part C – Definitions**.

Part A – Avoidance, mitigation, and compensation conditions

CLEARING LIMITS

1) The approval holder must not:

   a) **Clear** outside of the **Study area**.

   b) **Construct** outside of the **Study area**.

   c) **Harm GRGGW** outside the **Study area.**

2) The approval holder must not **clear** more than 0.682 hectares (ha) of **GRGGW**. The **GRGGW** to be **cleared** must have been identified and clearly marked by a **suitably qualified ecologist**.

3) The approval holder must not **harm** any additional patches of **GRGGW** within the **study area.**

   Note: This is additional to the 0.682 ha of **GRGGW** that may be **cleared** within the **stage 3 area**. Periodic slashing within the 0.212 ha of **GRGGW** does not constitute **harm**.

ACTION MANAGEMENT PLANS

Environmental Management Framework

4) To avoid and mitigate **harm** to **GRGGW** and **SHWFTLP** as a result of the Action, the approval holder must implement the requirements of the **Environmental Management Framework** (**EMF**) which requires the preparation of a Construction Environmental Management Plan, an Operational Construction Environmental Management Plan, an Operational Environment Management Plan and an Environmental Monitoring Program.

Construction Environmental Management Plan (CEMP)

5) To avoid and mitigate **harm** to **protected matters**, the approval holder must not **commence the Action** prior to the development of a CEMP.

6) The approval holder must implement the CEMP from the **commencement of the Action** to the **commencement of operation**.

7) The CEMP must be consistent with the requirements of the **EMF** and include but not be limited to:

   a) Hygiene protocols for the introduction or spread of weeds or soil pathogens

   b) Waste management protocols

   c) Sediment and erosion controls and management of erodible surfaces

   d) Protocols for the establishment and management of no-go-zones

   e) Requirement to secure high visibility temporary fencing to delineate the extent of the projects construction footprint and restrict all access to retained vegetation to be installed prior to commencement and maintained throughout the construction.

   f) Location of works, these must be within the construction footprint, previously disturbed areas and permitted vegetation removal footprints and must include areas denoted for site access, site facilities, vehicle and equipment storage, waste receptacles.

   g) Post-construction monitoring, to monitor any residual weed encroachment / invasion or erosion / sedimentation

Operational Construction Environmental Management Plan (OCEMP)

8) The approval holder must prepare an OCEMP for any maintenance works required during operation of the approval to manage impacts on retained **GRGGW** and **SHWFTLP.**

Operational Environment Management Plan (OEMP)

9) The approval holder must develop an OEMP prior to the **commencement of operation**.

10) The approval holder must implement the OEMP for the life of the approval.

11) The approval holder must ensure that the OEMP is consistent with the requirements of the **EMF** and include as a minimum a requirement to develop and/or implement:

   a) Signage to discourage access and increase public awareness of areas of retained SHWFTLP and GRGGW.

   b) An ongoing weed control management plan to manage woody vegetation seedling to assist with ongoing maintenance of **SHWFTLP.**

   c) A plan for the pumping/spilling of stormwater to the natural wetland in accordance with the **Natural Wetland Watering Decision Tree** following construction of the outfall/diversion structure.

   d) A maintenance program for the diversion structure to ensure the effective functioning of the outfall system.

Environmental Monitoring Program (EMP)

12) The approval holder must develop an EMP prior to the **commencement of operation**.

13) The approval holder must implement the EMP for life of the approval.

14) The approval holder must ensure that the EMP is consistent with the requirements of the **EMF** and include as a minimum:

    a) Ongoing monitoring of pumping / spilling to maintain water levels using the **Natural Wetland Watering Decision Tree**.

    b) Vegetation monitoring of **SHWFTLP** in accordance the methods outlined in Section 3.2 of the **Preliminary documentation,** Section 6 of Appendix 4 in the **Preliminary documentation** and Section 4 of Appendix 5 in the **Preliminary documentation.**

    c) Water monitoring of the natural wetland in accordance with the methods outlined in Section 3.2 of the **Preliminary documentation**, Section 6 of Appendix 4 in the **Preliminary documentation** and Sections 4 and 5 in Appendix 5 in the **Preliminary documentation**.

OFFSETS

15) The approval holder must not **commence the Action** unless the **department** has advised in writing that it has accepted a memorandum of understanding (MoU) that commits the relevant parties to secure the **GRGGW Offset site**.

16) To compensate for the residual significant impacts of the Action on **GRGGW**, the approval holder must **secure** the **GRGGW Offset site** within 12 months of **commencing the Action**.

17) The approval holder must not provide public access to the WORLD Sports Precinct **Stage 3 area** facilities constructed as part of the Action unless the **GRGGW Offset site** has been secured.

18) To compensate for the residual significant impacts of the Action on **GRGGW**, the approval holder must commence implementation of the **Offset Management Plan** (**OMP**) no later than 12 months after the **commencement of the Action** and continue to implement the **OMP** at least until the expiry date of this approval.

19) The approval holder must, within 5 **business days** of commencing implementation of the **OMP**, notify the **department** of the date on which implementation of the **OMP** commenced.

20) The approval holder must achieve the **offset outcomes** at the **offset site** by **year 10**. Once the **offset** outcomes have been achieved, the approval holder must maintain, or exceed, the **offset outcomes** at least until the expiry date of this approval.

21) The approval holder must have an **independent suitably qualified ecologist** assess the achievement of each **offset outcome** across the entire **offset site** within 2 months after **Year 10** and prepare a report within 4 months after **Year 10**, specifying whether each **offset outcome** has been achieved and specifying those parts of the **offset site** where any **offset outcome** has not been achieved.

22) Within 5 months of **Year 10**, the approval holder must publish the report of the **independent suitably qualified ecologist** on the **website**.

23) The approval holder must keep the report of the **independent suitably qualified ecologist** published on the **website** at least until the expiry date of this approval.

24) If the **independent suitably qualified ecologist** reports that any **offset outcome** has not been achieved, the approval holder must, within one month of receiving the report of the **independent suitably qualified ecologist**, notify the **department** in writing of any **offset outcome** that has not been achieved.

Outfall / diversion structure

25) The approval holder must avoid impact to **SHWFTLP** during construction of the outfall / diversion structure.

26) The approval holder must avoid impact to **GRGGW** during construction of the outfall / diversion structure.

27) The approval holder must, during construction of the outfall / diversion structure avoid encroachment of more than 10% into the Notional Root Zone of **GRGGW** or **SHWFTLP** as defined in the **Australian Standard for the Protection of trees on development sites**.

Part B – Administrative conditions

COMMENCEMENT OF THE ACTION

28) The approval holder must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.

29) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.

30) The approval holder must, within 5 **business days** of commencing implementation of the **OMP**, notify the **department** of the date on which implementation of the **OMP** commenced.

COMPLIANCE RECORDS

31) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.

32) If the **department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request.

Note: Compliance records may be subject to audit by the **department**, or by an **independent auditor** in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's** website or through the general media.

33) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.

34) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.

35) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of the next anniversary of the date of this approval decision except where otherwise specified in a **plan**.

ANNUAL COMPLIANCE REPORTING

36) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period** (**ACR period**).

37) The approval holder must ensure each **compliance report** includes:

    a) accurate and complete details of compliance and any non-compliance with:

        i) each condition attached to this approval decision, and

        ii) all commitments made in each **plan**,

    b) a schedule of all **plans** in effect in relation to these conditions during the **ACR period**,

    c) accurate and complete details of how each **plan** was implemented during the **ACR period**, and

    d) if any **incident** occurred, accurate and complete details of each **incident**.

38) The approval holder must ensure each **compliance report** is completed to the satisfaction of the **Minister** and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.

39) The approval holder must, within 20 **business days** following the end of each **ACR period**, in a format that is easily accessible and downloadable, publish on the **website**:

    a) each **compliance report**, and

    b) a **shapefile** showing all **clearing** of **protected matters**, and their habitat, undertaken within the **ACR period**.

40) The approval holder must:

    a) Exclude or redact **sensitive biodiversity data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public.

    b) If **sensitive biodiversity data** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and

notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.

c) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.

41) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.

42) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval.

Note: Compliance reports may be published on the **department's** website.

REPORTING NON-COMPLIANCE

43) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:

a) any condition or commitment made in a **plan** which has not been, or may have not been, complied with,

b) a short description of the **incident**, and

c) the location (if applicable, including co-ordinates), date and time of the **incident**.

44) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify:

a) all corrective measures and investigations which the approval holder has already taken in respect of the **incident**,

b) the potential impacts of the **incident**,

c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and

d) any variation of these conditions or revision of a **plan** that will be required to prevent recurrence of the **incident** and/or to address its consequences.

INDEPENDENT AUDIT

45) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.

46) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **department** no later than 10 **business days** following the end of each **audit period**.

47) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.

48) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.

49) The approval holder must submit an **audit report** to the **department** for written agreement from the **department** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.

50) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

51) The approval holder must publish each **audit report** on the **website**, in a format that is easily accessible and downloadable, within 10 **business days** of the date the **department** agrees to that **audit report** in writing.

52) The approval holder must notify the **department** within 5 **business days** of the date the **audit report** is published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **audit report** is published on the **website**.

53) The approval holder must keep each **audit report** published on the **website** from the first date which that **audit report** must be published and until the expiry date of this approval.

COMPLETION OF THE ACTION

54) Within 20 **business days** after the **completion of the Action**, and, in any event, at least 20 **business days** prior to the expiry date of this approval, the approval holder must notify the **department** electronically of the date of **completion of the Action** and provide **completion data**. The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.

Part C – Definitions

Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

Annual Compliance Report period or **ACR period** means each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

Audit period means each subsequent five-year period following the **commencement of the Action** until the expiry date of this approval unless otherwise specified in writing by the **Minister**.

Audit report means a written report of an **independent audit**.

Australian Standard for the Protection of trees on development sites means Australian Standards for the Protection of trees on development sites AS4970:2025 or latest subsequent version.

Biodiversity data means 'biodiversity data' as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

Business day means a day that is not a Saturday, a Sunday, or a public holiday in Victoria.

Clear, **cleared** or **clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

Commence the Action or **commences the Action** means the first instance of any on-site **clearing**, **construction** or other physical activity associated with the Action, but does not include minor physical disturbance necessary to:

- Undertake pre-clearance surveys or monitoring programs.
- Install signage and/or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage and/or temporary fencing is located where it does not **harm** any **protected matter**.
- Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm** any **protected matter**.

Commencement of the Action means the date on which the approval holder **commences the Action**.

Commencement of operation means the first instance of any on-site activity associated with the use of the facilities constructed as a result of the Action.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

Completion of the Action means the date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the Action, have permanently ceased and/or been completed.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with

commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

Compliance report means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).

Construct or **Construction** means:

- the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site,
- the alteration, maintenance, repair or demolition of any building or structure,
- any work which involves breaking of the ground (including pile driving) or bulk earthworks,
- the laying of pipes and other prefabricated materials in the ground, and
- any associated excavation work.

Construction does not include the installation of temporary fences or signage.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Environmental Management Framework or **EMF** means Section 3.3 and Table 2 as outlined in the **Preliminary Documentation**.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

GRGGW means the **EPBC Act** listed threatened ecological community Gippsland Red Gum (*Eucalyptus tereticornis* subsp. *mediana*) Grassy Woodland and Associated Native Grassland.

Habitat quality means a measure of the overall viability of a site and its capacity to support **protected matters**, with respect to site condition, site context and species stocking rate and/or composition.

Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

Incident means any:

- event which has the potential to, or does, **harm** any **protected matter**,
- potential non-compliance with these conditions, including the administrative requirements,
- actual non-compliance with these conditions, including the administrative requirements,
- potential non-compliance with one or more commitment made in a **plan**, and/or

- actual non-compliance with one or more commitment made in a **plan**.

Independent means a person, or firm, who does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons.

Independent audit means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

Independent Audit and Audit Report Guidelines means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

Independent auditor means a person, or firm, who:

- does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons,
- has demonstrated experience in undertaking government-regulated environmental compliance audits, and
- holds relevant professional qualifications and accreditations.

*Other than for the purpose of undertaking the role for which the person, or firm, is required.

Minister means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

Monitoring data means the data required to be recorded under the conditions of this approval, including **sensitive biodiversity data**.

Natural Wetland and Watering Decision Tree means Sections 4 and 5 in Appendix 5 of the **Preliminary Documentation**.

Offset Management Plan or **OMP** means the document titled WORLD Sports Precinct (EPBC 2022/09215) Offset Management Plan for Gippsland Red Gum Grassy Woodland and Derived Native Grassland at Stratford, Final Version 01, 16 February 2026, or the latest subsequent version approved in writing by the **Minister**.

Offset outcomes means the offset outcomes specified in Section 3.2.2, Section 3.5, Section 3.7 and Tables 4, 5 and 6 in the **OMP**.

Offset site means the area represented in Attachment B by the zone enclosed by the solid purple line and stippled with dots designated 'Proposed offset site'.

Plan means any action management plan or strategy that the approval holder is required by these conditions to implement.

Preliminary Documentation means WORLD Precinct, Bairnsdale: Additional information for assessment by Preliminary Documentation (EPBC 2022/09215), Final, Report prepared for East Gippsland Shire Council, 16 February 2026, Biosis, Final Version 01.

Protected matter means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Secure or **secured** means to provide enduring conservation protection on the title of land.

Sensitive biodiversity data means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.

Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing:

- '.shp', '.shx', '.dbf' files,
- a '.prj' file which specifies the projection or geographic coordinate system used, and
- an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

SHWFTLP means the **EPBC Act** listed threatened ecological community Seasonal Herbaceous Wetland (Freshwater) of the Temperate Lowland Plains.

Stage 3 area means the location of the Action, represented in Attachment A by the zone enclosed by the solid blue line designated as 'Stage 3'.

Study area means the location of the Action, represented in Attachment A by the zone enclosed by the solid orange line designated as 'Study area'.

Suitably qualified ecologist (for the purpose of preparing and implementing environmental management plans) means a person or people who has/have relevant professional qualifications and:

- at least 3 years of work experience writing and implementing management plans for the habitat of **protected matters**,
- has implemented and reported on management plans for the habitat of **GRGGW and SHWFTLP**, and can demonstrate the implementation of those plans achieved the desired **habitat quality** for habitat of **protected matters**, and
- can give authoritative assessment and advice on offset management to improve the **habitat quality** of the habitat of **protected matters** using relevant protocols, standards, methods and/or literature.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Year 10 means the 10th anniversary of the date on which implementation of the **OMP** commenced.

Attachments

A: Map showing the location of the Study area.

B: Map showing the location of the proposed offset for GRGGW at 344 Balgonie Lane, Stratford, Victoria.

OFFICIAL

Attachment A: Map showing the location of the Study area.

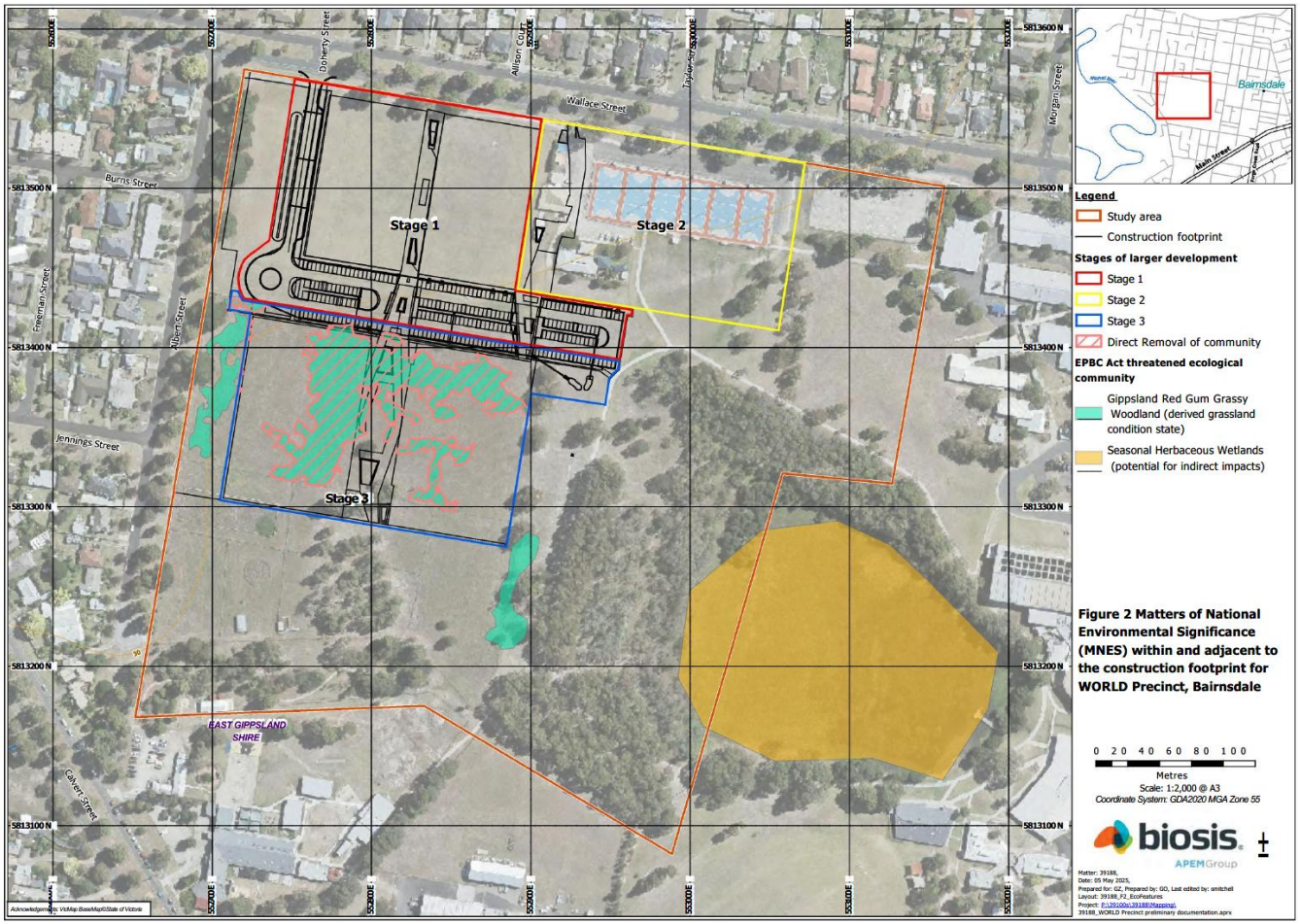


Figure 2 Matters of National Environmental Significance (MNES) within and adjacent to the construction footprint for WORLD Precinct, Bairnsdale

OFFICIAL

Attachment B: Map showing the location of the proposed offset for GRGGW at 344 Balgonie Lane, Stratford, Victoria.

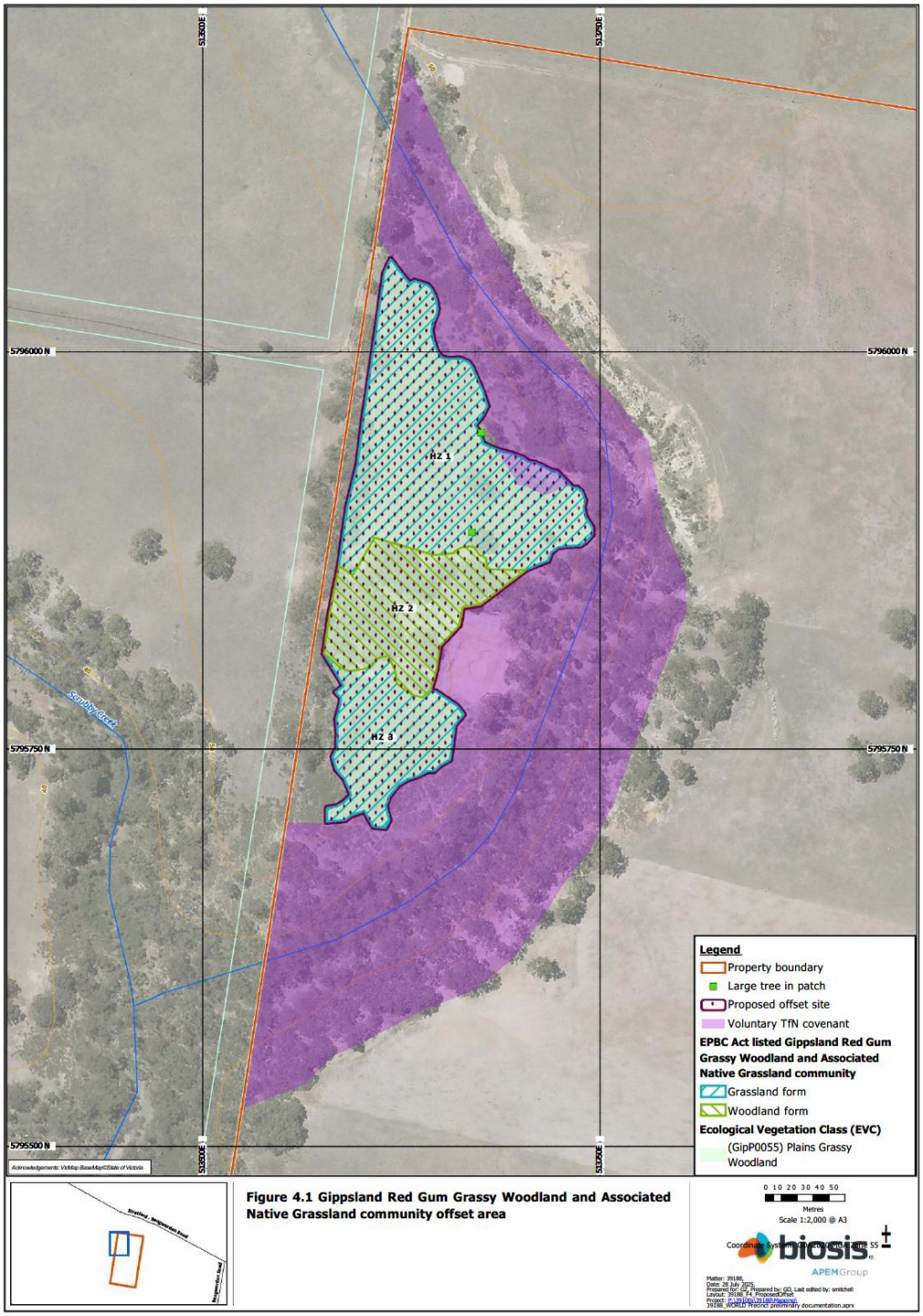


Figure 4.1 Gippsland Red Gum Grassy Woodland and Associated Native Grassland community offset area

5.3 Business Excellence

5.3.1 CON2019 1332 Provision of Pound and Shelter Services - Request for variation

Authorised by General Manager Business Excellence

Confidentiality Notice

The information contained in **Confidential Attachment 1** to this report is confidential under section 3(1) of the *Local Government Act* 2020 because it relates to: (a) Council Business Information, being information that would prejudice the Council's position in commercial negotiations, if prematurely released.

Pursuant to section 66(5)(b) of the *Local Government Act* 2020, if released, the information discussed or considered in relation to this agenda item would prejudice Council's position in commercial negotiations by disclosing commercially sensitive information.

Purpose

To seek Council's approval to vary Contract CON2019 1332 – Provision of Pound and Shelter Services by extending the contract term from 1 January to 30 June 2027.

Recommendation

That Council:

1. ***approves an exemption from Council's Procurement Policy in accordance with the exemption provision for the extension of contracts while Council is at market to ensure continuation of the supply of goods, services and works;***

2. ***approves a variation to Contract CON2019 1332 – Provision of Pound and Shelter Services with Victorian Animal Aid Trust, trading as Animal Aid, to extend the contract term from 1 January 2027 to 30 June 2027;***

3. ***approves the variation to Contract CON2019 1332 Provision of Pound and Shelter Services with Victorian Animal Aid Trust, trading as Animal Aid, for the annual lump sum management fee and tendered schedule of rates, including the variation amount listed at Confidential Attachment 1;***

4. ***authorises the Chief Executive Officer or delegate to finalise the terms and to sign the contract variation in the form proposed; and***

5. ***resolves that Confidential Attachment 1 and all discussions relating to that attachment remain confidential.***

Key Points

Council provides pound and animal shelter services under the *Domestic Animals Act 1994,* including the acceptance, care, housing and management of surrendered, stray or impounded animals, and related animal welfare and rehoming support at the Giles Street shelter in Bairnsdale.

This includes:

- animal pound and shelter facility - operation and management;
- animal transport vehicles;
- release of animals;
- disposal of impounded animals;
- record keeping and reporting; and
- public education.

These services are currently delivered on Council's behalf by the Victorian Animal Aid Trust, trading as Animal Aid.

The current contract expires on 31 December 2026, following the original five-year term and two 12-month extension options. A six-month extension to 30 June 2027 is recommended to avoid a service gap while Council undertakes a public tender process.

The proposed extension is consistent with Council's Procurement Policy, which provides an exemption to allow a contract to be extended where additional time is required to complete a replacement procurement process. The extension will ensure continuity of critical animal management services while Council undertakes a public tender process for the future delivery of pound and shelter services and will also align the contract term with Council's financial year, improving budget planning and contract management.

Based on current market conditions and associated escalations in costs, Animal Aid has advised they require a 12% increase in the current contract rates to be able to support the six-month extension.

The estimated increased costs to Council for the proposed six-month extension are set out in **Confidential Attachment 1.**

Background

Since awarding the contract in 2019, Animal Aid has consistently provided high-quality service, met all the performance criteria set out in the contract and is supported by a substantial volunteer network. Based on the 2025/26 Annual report performance, rehoming outcomes improved, with 55.62% of unclaimed collected animals rehomed compared with 40.53% in 2024/25. The proportion of animals reclaimed also increased to 30.87%, up from 24.46% last year. This improvement reflects the continued efforts of both Animal Aid staff and our teams to reunite pets with their owners through timely responses, effective animal identification processes and ongoing community education about registration and responsible pet ownership.

Animal Aid has a solid history of providing this service for Council over the past 12 years – across several contracts that were market tested. Offering the contract extension to the current contractor ensures ongoing services are undertaken by an appropriately experienced operator. Animal Aid is welfare-focused and endeavors to rehome animals received into its care, which can take months, and uses its network of other providers to move animals to where they can be rehomed. It has many volunteers who assist with the service provision including foster care and receives donations to the Animal Aid Trust.

Animal Aid provides pound and shelter services to other Councils in Victoria, namely:

- Yarra Ranges Shire Council
- Maroondah City Council
- Shire of Murrundindi
- Knox City Council
- City of Whitehorse
- Wellington Shire Council

It is also important to note there are now very few service providers operating in this space. At the Council meeting held on 3 December 2024, Council endorsed exercising the first 12-month extension to 31 December 2025 and authorised the Chief Executive Officer (CEO) to exercise the second extension. On 18 September 2025, the CEO approved to extend the contract for a period of 12 Months to 31 December 2026.

Reason for Variation

The variation is required to align the contract term with Council's financial year and provide sufficient time to undertake a competitive procurement process for the future provision of pound and shelter services.

The extension will:

- align future contract arrangements with Council’s annual budgeting and financial reporting cycle;
- ensure continuity of essential pound and shelter services while a public tender process is undertaken; and
- allow adequate time for procurement, contract award, and implementation of a new service arrangement from 1 July 2027.

Strategic Alignment

Under the *Domestic Animals Act 1994*, Council is required to accept any animal surrendered to Council. This contract enables Animal Aid to provide pound and shelter services for our community, on behalf of Council.

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Council operates transparently and effectively with public trust

Collaborative Procurement

Pursuant to section 109(2) of the *Local Government Act 2020*, this report has been prepared having regard to opportunities for collaborative procurement. While Animal Aid provides pound and shelter services to a number of Victorian councils, no collaborative procurement opportunity has been identified in relation to the proposed six-month contract extension, which is intended solely to ensure continuity of service while Council completes a procurement process for future service delivery.

Opportunities and Risks

Opportunities

- Ensures uninterrupted delivery of pound and shelter services.
- Aligns future contract arrangements with Council's financial year.
- Allows Council to undertake a robust and transparent public tender process.
- Provides certainty for operational planning and animal management service delivery.
- Facilitates incorporation of CPI adjustments prior to commencement of a new contract.

Risks

If the variation proceeds:

- minimal risk to service continuity;
- Council incurs additional expenditure of $19,475.34 excluding GST compared with continuation of the current contract rates; and
- continued reliance on the incumbent provider during the extension period.

If the variation does not proceed:

- potential serious interruption to Council's pound and shelter services;
- insufficient time to complete the procurement process and implement a replacement contract;
- increased operational and animal welfare risks arising from a gap in service provision; or
- potential for higher costs through emergency procurement arrangements.

Climate Change

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. CONFIDENTIAL - Summary Variation Request - Provision of Pound Services [**5.3.1.1** - 2 pages]

5.3.2 Organisational Performance Report

Authorised by General Manager Business Excellence

Purpose

To present and seek Council endorsement of the Organisational Performance Report for the period 1 July to 30 September 2026, provided at **Attachment 1**.

Recommendation

That Council:

1. ***notes and endorses the full year forecast operating and capital budgets, including the revised capital forecast as detailed in the Organisational Performance Report, provided at Attachment 1, for the period 1 July 2026 to 30 September 2026; and***

2. ***notes that if endorsed, the Organisational Performance Report for the period 1 July 2026 to 30 September 2026, provided at Attachment 1, will be published on Council's website.***

Key Points

The *Local Government Act 2020* (the Act), Section 97(1) requires a quarterly finance report to be presented to Council as soon as practical after the end of each quarter.

The Organisational Performance Report, provided at **Attachment 1**, provides an overview of progress against the first quarter results for 2026/27 of the:

- Council Plan 2025-2029; and
- 2026/27 Budget.

The report brings together a range of financial and performance indicators together to enhance the readability of the report and transparency of Council's performance.

Organisational Performance

The first section of the Organisational Performance Report outlines performance against the 43 Major Initiatives set out in the Annual Budget and aligned with the Strategic Objectives of the Council Plan. As at 30 September 2026, 93% of Major Initiatives were on schedule.

Financial Performance

Operating result

Quarter One - 1 July 2026 to 30 September 2026

Council has delivered an operating surplus of $52,093 million for the first quarter of the 2026/27 financial year, exceeding the forecast by $4.009 million or 8.34%. This is primarily due to timing differences in the Material and Services budget line which is currently underspent by $4.129 million, it is expected that this will correct across the financial year.

Overall Financial Performance

The full-year operating surplus is forecast to be $2.558 million, representing an unfavourable variance of $11.940 million against the Adopted Budget. The variance is mainly due to

- $7.933 million in non-recurrent capital grants associated with the Bairnsdale aerodrome which will be completed in 2027/28.
- A carry forward of $2.1 million dollars of grant works that we have received the income for however did not finalise in 2025/26 and were not included in the 2026/27 budget. Most are related to natural disaster support work.
- The assumption that like last financial year we will again receive the Financial Assistance Grants early for 2027/28 and that this budget line will correct in quarter 4.

Year-to-Date Performance

Performance Measure	Actual ($'000)	Forecast Budget ($'000)	Variance ($'000)	Variance (%)
Operating Surplus (YTD)	52,093	48,083	4,009	8.34%

Full-Year Forecast Performance

Performance Measure	Adopted Budget ($'000)	Forecast ($'000)	Variance ($'000)	Variance
Operating Surplus (FY)	14,497	2,558	(11,940)	(83.36%)
Adjusted Underlying Result (FY)	(4,625)	(8,642)	(4,017)	(86.84%)

Year-to-Date (YTD) Performance

At 30 September 2026, total year-to-date expenditure is $32.555 million, which is $4.094 million (11.17%) below the forecast of $36.649 million. The variance primarily reflects lower expenditure in Materials and Services due to timing of expenditure.

Full-Year Forecast

The full-year operating result is forecast to be a surplus of $2.558 million, which is an $11.940 million unfavourable variance compared to the Adopted Budget surplus of $14.497 million.

The variance is mainly due to $7.933 million in non-recurrent capital grants being deferred to the next financial year, primarily related to Bairnsdale Aerodrome project works, as well as additional expenditure budgeted for the carry-forward of unspent operating grant funding from previous the financial year related to natural disaster supports work.

Key financial sustainability indicators

Below are the key financial sustainability indicators we report on, and the level of risk attributed to them which is in line with the recommendations of the Victorian Auditor General's Office.

Indicator	Target	Forecast 2026/27	Adopted Budget 2026/27	2025/26	Risk rating
Net Result	>0%	1.77%	9.45%	5.08%	Low
Adjusted Underlying Surplus/Deficit)	>0%	(6.47%)	(3.44%)	(2.21%)	Medium
Liquidity	150%	329.38%	279.00%	509.77%	Low
Indebtedness	<60%	13.79%	13.79%	20.58%	Low
Asset renewal	100%	98.77%	134.18%	77.22%	Low

Capital Works Projects

The 2026/27 capital works adopted budget was $54.566 million. With $12.033 million carried forward from 2025/26 across 92 projects, less minor adjustments. This means the forecast budget for 2026/27 is $66.599 million across 238 projects.

Capital Works Budget	Amount ($) in millions	Projects
Adopted capital budget 2026-27	54.566	(includes $0.125 million, Landfill rehab projects)
Carry-forward from 2025-26	12.033	92
Current approved budget	**66.599**	238
Re-budget to future years	(22.351)	10
Additional budget requested	3.936	8
Bring forward from future years and transfer from reserves	1.846	38
Savings	(1.409)	12
Forecast at completion 2026-27	**48.618**	238

The forecast spend for the year is $48.618 million, $17.981 million below the revised budget. This mainly reflects $22.351 million proposed to move to future years, partly offset by $1.046 million brought forward from future years and $3.936 million in additional budget requests.

By 30 September, expenditure reached $5.565 million, with a further $18.036 million committed. Together, these total $23.601 million, or 36 per cent of the approved budget. Most projects are in design and procurement in the first quarter, and construction will follow in the second and third quarters. Twenty-six projects were completed during the quarter and a further 13 are being finalised. Twelve projects have recorded savings of $1.409 million.

Re-budget to future years

Ten projects are proposed to move $22.351 million to future years, for consideration in the mid-year budget review. The two Bairnsdale Aerodrome projects account for $16.442 million. Both are in procurement for design and construct contracts, with construction in 2027. The main projects are:

- Bairnsdale Runway 04/22 Extension and Lighting Upgrade: $12.132 million
- Bairnsdale Aerodrome Taxiway and Apron Rehabilitation: $4.310 million
- WORLD Sporting Precinct: $2.700 million
- Connleys Road, Omeo Upgrade Stage 2: $0.869 million
- Reseal Renewal Program: $0.716 million
- Renewal of Corporate Systems: $0.500 million

Environmental and cultural heritage approvals, grant funding variations, coordination with utility and transport authorities, and consultant capacity are the most common causes of delay.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Council operates transparently and effectively with public trust

Opportunities and Risks

It is assumed that the Financial Assistance Grants for 2027-28 will be received early as has happened for the past number of years, this is a risk to revenue of $18 million and would result in a deficit position estimated at $15 million.

Employee benefits are forecast to be $400,000 above the 2026-27 budget; this is mainly related to grants that were carried forward from 2025-26 – were we have received money from grants for employees to do pieces of work that were not completed in 2025-26 and are still being completed in 2026-27. A further risk to employee benefits exists due to the uncertainty of seasonal workforce pressures over the summer period.

These risks will be closely monitored and Council updated with revised estimates.

Climate Change

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Q1 Organisational Performance Report [**5.3.2.1** - 45 pages]



ORGANISATIONAL PERFORMANCE REPORT

July 2026 to Sep 2026

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Acknowledgement of Country

East Gippsland Shire Council acknowledges the Gunaikurnai, Nindi-Ngujarn Ngarigo Monero, Bidawel, Duduroa Dhargal, Jaithmathang people as the Traditional Custodians of this land that encompasses East Gippsland Shire, and their enduring relationship with country. The Traditional Custodians have cared for and nurtured East Gippsland for tens of thousands of years. Council values their living culture and practices and their right to self-determination. Council pays respect to all Aboriginal and Torres Strait Islander people living in East Gippsland, their Elders, past, present, and future.

About this Report

This Report is prepared as a key component of East Gippsland Shire Council's (Council) commitment to transparent reporting and accountability to our community and to meet statutory reporting requirements under *Section 97 of the Local Government Act 2020*.

Organisational Performance (Q1)

Council Plan 2025–29 incorporates the Municipal Health and Wellbeing Plan and identifies four strategic themes to guide Council's work:

- Community wellbeing and social responsibility
- Prosperity
- Making the most of what we've got
- Managing Council well

Performance Monitoring

Council tracks its progress through quarterly reporting, focusing on:

- Progress against Council Plan major initiatives
- Outcomes achieved against Council Plan performance measures

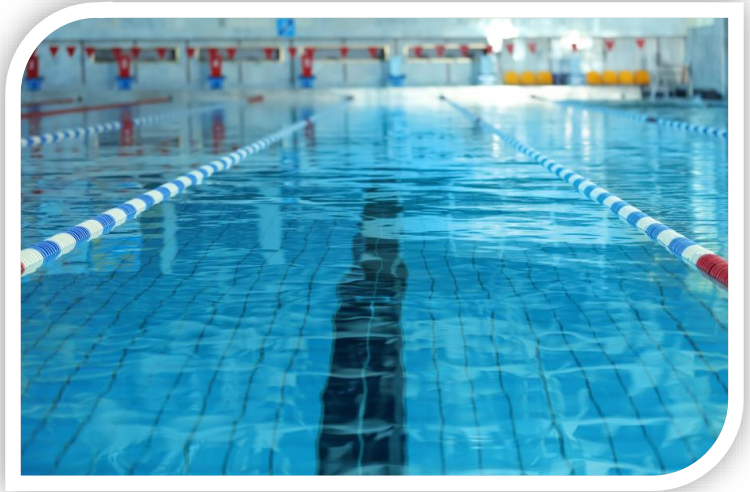
Community wellbeing and social responsibility

We foster a strong sense of belonging, inclusivity, and shared responsibility, ensuring that all members of our community are supported, valued, and empowered to thrive together.

How this theme is important for the health and wellbeing of our community

Belonging and social inclusion are critical components for mental health and overall well-being. Emphasising mental health and well-being helps reduce stigma, foster social connections, enhance physical health, boost productivity, and create safer communities.

Initiatives that promote high levels of well-being play a crucial role in driving social and economic success. These initiatives result in improved learning outcomes, increased creativity, greater productivity, stronger relationships, better physical health, and longer life expectancy.



A draft East Gippsland Aquatic Strategy has been completed, shaped by six months of community and stakeholder engagement. It will guide the future of our aquatic facilities across the shire.

Outcome – A connected and inclusive community, endeavouring not to leave anyone behind.

Major initiatives	Progress Update
Deliver a diverse range of programs through our recreation centres to strengthen community engagement in health, wellness, and sport, improving the overall customer experience and supporting increased participant retention.	Council's recreation centres continue to deliver a diverse range of programs that support community participation in health, wellness and sport, including school swimming lessons, aquatic and fitness programs, and school holiday programs. Council also works with the Gippsland Sports Academy to support the training of local students and facilitates access for sporting user groups such as basketball, hockey and netball at the Bairnsdale Aquatic and Recreation Centre and the WORLD.
Commence the Active Transport Strategy to guide future investment in safe, accessible and sustainable travel options.	A project plan for the Active Transport Strategy has been developed. Council is now seeking potential funding opportunities to support the full development of the strategy, which will guide future investment in safe, accessible and sustainable travel options.
Deliver priority footpath works as identified through the Access and Mobility Framework and commence prioritisation of remaining footpaths with a clear delivery program for delivery over multiple years.	Priority footpaths identified through the Access and Mobility Framework were grouped into works packages in 2025/26. These packages are now being used to progress designs, allowing footpaths to be delivered together by location for a more efficient program of works.
Advocate to government, using data and partnerships, to improve public transport for priority user groups and high-need locations.	Council continued to advocate for better public transport for priority user groups and communities experiencing transport disadvantage. This included strengthening the evidence base, engaging directly with transport providers and decision makers, and raising awareness of service gaps affecting residents. Regional transport connectivity and access to essential services were included in Council's Victorian Election advocacy campaign, through briefing materials, stakeholder engagement, candidate discussions and ministerial correspondence. Council also continued its advocacy on V/Line and regional public transport services, focusing on frequency, reliability, capacity and accessibility for people travelling to health appointments, older residents, people with disability, students and communities with limited transport options. A positive outcome was the confirmed extension of the weekday Marlo to Bairnsdale coach service to Traralgon, commencing in August.
Continue the planning and design work for the West Bairnsdale Recreation Reserve to progress future development.	The West Bairnsdale Recreation Reserve Concept Plan has reached final draft stage, progressing planning and design for the future development of the reserve.
Finalise the East Gippsland Aquatic Strategy to guide the future provision, management and improvement of aquatic services across the shire.	A draft East Gippsland Aquatic Strategy has been completed and is now with the Project Control Group for review. The draft was informed by extensive community and stakeholder engagement over six months, including the formation of a Community Working Group and broader engagement through Council's Your Say platform and survey. Once finalised, the strategy will guide the future provision, management and improvement of aquatic services across the shire.

Outcome – A stronger collaborative community that is actively engaged and supported

Major initiatives	Progress Update
Develop a new funding model, aligned with the Culture and Creativity Strategy, to expand and support cultural and creative activities across the Shire.	A draft concept for a new culture and creativity funding model has been developed, setting out core principles, goals and alignment with the Culture and Creativity Strategy. The concept is ready to be shared with key stakeholders for discussion and feedback.
Subject to budget, commence the implementation of the Stormwater Management Plan to improve stormwater quality, manage flood risk and support sustainable urban development.	The Stormwater Management Plan will be presented to Councillors in October 2026. The plan sets out a staged implementation pathway, objectives and a risk-based approach to prioritising works. Following endorsement, implementation will progressively focus on improving asset information, targeted renewal, township studies, flood mitigation, water quality and stronger planning controls, subject to available resources and future budgets.
Embed health service advocacy within Council's broader advocacy strategy to ensure coordinated, evidence-based and sustained advocacy on community health priorities.	Council progressed a coordinated advocacy campaign to secure investment in health infrastructure and services across the region, with a new Emergency Department at Bairnsdale Regional Health Service (BRHS) as its centrepiece. The Emergency Department was included as a priority project in Council's Victorian Election Advocacy Campaign, which was formally launched and promoted through media releases and interviews with WIN News and ABC Gippsland. Council worked closely with BRHS to coordinate advocacy and stakeholder engagement, including an on-site visit by the Opposition Leader. The project continues to feature in Council's advocacy briefings, position papers and engagement with election candidates and State and Federal representatives.
Commence the implementation of high priority actions from Council's adopted position on housing - Homes for Everyone.	Council appointed a dedicated Housing Officer, who commenced in September 2026. Good progress has been made in refining the action plan and drafting position papers on a range of housing issues under Council's Homes for Everyone position. The next step is to brief the Executive Leadership Team and Council on progress and next steps.
Clarify Council's role in the prevention of violence (including family violence).	Council has made strong progress in clarifying its role in preventing violence, including family violence. Family violence prevention is now part of Council's Community Resilience functions, and Council is an active partner in the East Gippsland Partners in Violence Prevention 10 Year Plan, with its activities aligned to Council Plan commitments. Council has also led community awareness and advocacy, including Domestic and Family Violence Prevention Month, the first East Gippsland Candlelight Vigil and 16 Days of Activism. Council's role is now clearly defined as partnering, bringing people together, advocating, educating and supporting community led prevention, while specialist agencies lead the delivery of support services.

Council Plan Theme Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Community participation in council engagement opportunities.	Community participation was strong this quarter, reaching more than half of the annual target in the first three months. Major place-based engagement in Omeo, Nowa Nowa, Metung and Lindenow, along with the Natural Reserve Strategy and the Local Law Review, drove this result, supported by strong communications. The Local Law Review stood out, with 660 surveys completed in September alone. Asking the community about local issues before drafting the new Local Law encouraged strong participation. Across the shire, more than 1,400 people took part in 32 in person engagement sessions. These included place planning, targeted sessions with the agriculture and disability sectors, Mayor pop ups, and a student careers event at Lake Tyers Aboriginal Trust.	26,575	> 50,347
	Number of visits to aquatic facilities per population.	Visitation to the Bairnsdale Aquatic and Recreation Centre (BARC) reached 2.03 visits per resident, above its quarterly target of 2.0 and higher than last quarter. This was slightly below Q1 last year, but the centre continues to attract strong community use. Visitation at Lakes Entrance Aquadome rose to 0.68 visits per resident, up from 0.64 last quarter and 0.63 in Q1 last year. While this is below its quarterly target of 1.0, the steady increase shows growing community use. Visitation at Lakes Entrance Aquadome has historically peaked during the outdoor pool season, so results are expected to rise in the warmer months.	2.71	11.00

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Annually	Percentage of municipal population that are active library members.	Not yet reportable.		
	Number of community members volunteering on Committees of Management.	Not yet reportable.		
	Community perception of safety.	Not yet reportable.		
	Percentage of social and affordable housing within the community	Not yet reportable.		

Prosperity

We embrace sustainability economic growth, fostering opportunities that enhance livelihoods, innovation, and long-term financial stability for our diverse communities.

How this theme is important for the health and wellbeing of our community

Supporting access to learning opportunities and driving economic investment through local employment is crucial for enhancing social connections, mental health, and self-expression. Continuous learning helps individuals remain adaptable in a changing world, while local employment provides a sense of purpose and community. These opportunities lay the foundation for financial stability and contribute to long-term economic growth. Together, they enable individuals to build relationships, improve their well-being, and achieve greater independence, ultimately enhancing their quality of life and fostering interconnected communities.



Agricultural Sector Advisory Committee members met in August to discuss priorities for local farmers.

Outcome – Thriving, self-sufficient communities with strong local businesses and social enterprises

Major Initiatives	Progress Update
Support community led development strategies in towns affected by the forestry transition, empowering local groups to design and implement solutions that strengthen resilience and long-term sustainability.	Council continued its place based economic development support across Swifts Creek, Orbost and Nowa Nowa, helping communities in transition build resilience, diversify their economies and create new opportunities through local leadership and community driven projects. This quarter, Council supported locals through the funding application, project planning and project delivery phases. The group has several projects ready to launch as funding becomes available.
Support the implementation of actions from the Towards 2030 Gippsland Food, Drink and Agritourism Strategy.	Council continues to support the Towards 2030 Gippsland Food, Drink and Agritourism Strategy through initiatives that promote investment and growth in East Gippsland's premium food and beverage sectors. This quarter, work focused on aligning the 2026/27 support program with Council's Regional Marketing Strategy and Action Plan, so that investment attraction, tourism and regional branding efforts work together.
Develop tools and processes to support engagement of smaller local contractors wherever possible in key locations, supporting local business participation and strengthening regional economic activity.	Work is underway to create more opportunities for smaller local contractors to take part in Council procurement. This builds on the rollout of VendorPanel and updated Procurement Procedures, which formalise a requirement to seek at least five per cent of tender sourcing from local shire suppliers. These changes will be shared across Council in quarter two. Council held its annual Contractors' Breakfast and Procurement Workshop in August 2026 and continues to engage with local suppliers, helping businesses better understand Council's procurement processes and access upcoming opportunities. Further work will focus on practical tools and processes that support smaller contractors, particularly in key local areas.
Develop budget bids and resource planning to support advancement of priority actions that relate to Bairnsdale 2050, including reactivation of the town centre.	The Bairnsdale 2050 Plan is yet to complete its final phase of community consultation and has not yet been adopted by Council, so budget bids for priority actions have not yet progressed.
Implement priority projects from the East Gippsland Marketing Strategy as they relate to promoting East Gippsland as a great place to live, work, visit and invest.	Implementation of the East Gippsland Regional Marketing Strategy moved into active delivery, with the Canberra Spring Campaign providing the first major market activation and generating approximately 246,000 outdoor advertising impressions. Brand and market research has been translated into audience targeting and future campaign development, while INVEST research has been completed to strengthen the evidence base for investment attraction and economic development activity. Planning has also progressed for Buy Local and future autumn and winter visitor campaigns. Council has also been looping back with key stakeholders to share the strategic direction and identify opportunities for partnership and collaboration in future delivery, supporting a more coordinated regional approach to promoting East Gippsland as a place to visit, live, work and invest.

Major Initiatives	Progress Update
Finalise support for the Orbost Exhibition Centre to secure funding and develop a self-sustaining operating model, enabling it to celebrate and showcase the region's heritage, culture, and arts.	A service agreement has been drafted and is ready for discussion with the Orbost Exhibition Centre, supporting work towards securing funding and a self-sustaining operating model for the centre.
Finalise and present to Council the revised Bairnsdale Airport Master Plan, ensuring the precinct is aligned with future operational and growth needs.	Release of the Request for Quotation for the Bairnsdale Airport Master Plan is on hold until the runway upgrade design is finalised, so the Master Plan can be informed by the final runway configuration and any associated infrastructure needs. Subject to completion of the runway design, the request is expected to be released in February 2027. Separately, aviation activity data will be collected between November 2026 and March 2027 to better understand airport use and demand. This information will support future budget planning and help determine future revenue options.
Subject to resourcing, commence the implementation of the outcomes of the Livestock Exchange Review, delivering the recommended improvements to operations and facilities.	Following the recent commercial review of the Bairnsdale Livestock Exchange, Council continues to explore opportunities to collaborate with Wellington Shire Council, focusing on initiatives that deliver mutual benefit, improve long term sustainability and support the ongoing development of the facility. A Business Plan will be developed once any collaborative opportunities have been considered and agreed. Operational performance continues to improve, with positive feedback from agents and industry stakeholders. Improvements have also been delivered across the site to enhance safety, animal welfare, presentation and efficiency, with more planned.
Establish and strengthen partnerships between local employers and training providers.	Council continues to share training opportunities with small businesses and local industries through a range of channels, including the monthly Business Matters Newsletter and Agri Newsletter. Planning commenced in Q1 for an Education Roundtable to be held in Q2, which will help re-establish relationships with key education and training stakeholders and renew discussions around opportunities for greater collaboration, stronger industry connections and alignment between local training and workforce needs.

Outcome – A well-functioning planning system that responds to our communities' needs

Major Initiatives	Progress Update
Implement the Business and Industry Engagement Framework to ensure structured, consistent and effective engagement with local businesses and industries.	Implementation of the Business and Industry Engagement Framework continued in Q1, supported by the ongoing Business Friendly Councils program of work, which is helping embed a more coordinated and business-friendly approach across Council. A new business engagement tool and supporting reporting framework were developed to improve how engagement is captured, emerging issues and opportunities are identified, and outcomes are monitored. Planning also progressed for a 12-month program of targeted Industry Roundtables, commencing with an Education Roundtable in Q2, providing a structured platform to strengthen relationships and collaboration between Council, industry and key partners

Finalise the Omeo/Swifts Creek Structure Plan, providing a clear strategic framework for future development in the district.	Omeo and Swifts Creek Structure Plans were both adopted at the September 2026 Council Meeting. Following some final edits, the documents will be published on Council's website, providing a clear strategic framework for future development in the district.

Council Plan Theme Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Percentage of planning applications decided within the specified timeframe (60 days for regular permits and 10 days for VicSmart permits)	Council decided 51 of 101 planning applications (50.5%) within the required timeframes this quarter, below the target of 60%. This follows a rise in the number of applications received. To manage the higher workload and improve decision times, Council employed an additional contracted planning staff member in October.	50.5%	60%
Annually	Number of ABN registrations in East Gippsland	Not yet reportable.		
	Number of visitors to our region.	Not yet reportable.		
	Feedback from local businesses on satisfaction with economic support and development efforts.	Not yet reportable.		
	Feedback from community members on their satisfaction with the planning system.	Not yet reportable.		

Making the most of what we've got

By using our assets and natural resources wisely, we protect them, adapt to change, and support future generations.

How this theme is important for the health and wellbeing of our community

A healthy natural environment is vital for food, clean air, and water. Our parks reduce stress and boost mental well-being. Proper management of natural resources improves community quality of life. Efficient waste management and a circular economy minimise environmental impact. Preserving cultural heritage connects us to our history. Maintaining and wisely using assets aligns with community needs. Sustainable resource management, climate risk planning, and safeguarding heritage are priorities for a resilient future.



Moogji Aboriginal Council is planting more than 3,300 native plants to rehabilitate the Orbost Landfill.

Outcome – Natural assets are well-managed and protected

Major initiative	Progress Update
Finalise the East Gippsland Bushland Strategy to guide the protection of important biodiversity values on Council managed land, and to identify funding opportunities and resourcing needed to support long-term environmental management.	Background reports along with community and stakeholder engagement completed. Draft strategy is now being prepared with a draft expected for consideration in December 2026.
Work with EGCMA to progress a planning scheme amendment to update the flood overlays across the municipality.	Council has been working closely with the East Gippsland Catchment Management Authority (EGCMA), the Department of Transport and Planning and the Department of Energy, Environment and Climate Action on the first flood overlay amendment, which covers the Snowy River catchment. The EGCMA has indicated the amendment will be placed on public exhibition in early 2027, and Council has confirmed its support and offered assistance during that time.
Subject to resourcing, commence the implementation of the first-year actions of the Waste Transition Plan and advance further stages of the Waste Services Review, delivering staged improvements that modernise waste and recycling services, increase efficiency, and reduce landfill dependency.	Council is progressing priority actions under the Waste and Recycling Transition Plan. A key priority is the tender for the future provision of kerbside collection and recycling services. Tenders closed at the end of July and have been reviewed by the evaluation panel, with recommendations to award the services to be presented to Council in October 2026.

Outcome – Our assets are well maintained, utilised and meet community needs

Major initiative	Progress Update
Commence the implementation of recommendations from the Asset Optimisation Review including engaging with key stakeholders and the community.	Asset optimisation principles have been developed to provide a consistent basis for deciding whether to retain, renew, share, repurpose, transfer or not replace Council assets. The next phase will confirm the framework, complete supporting service level and data work, test the approach on pilot assets, and engage Councillors, stakeholders and the community before decisions on specific assets progress.
Deliver scheduled and responsive maintenance programs for roads, drainage and footpaths, ensuring regular inspections, timely repairs, and proactive works that keep essential community infrastructure safe, accessible and in good condition.	On going schedule maintenance has been programmed.
Complete and commence the implementation of the Asset Renewal Programs for key asset classes, including stormwater drainage, open space, roads, footpaths, buildings, marine assets, and fleet and plant, to ensure we maintain existing levels of service and address renewal needs in a systematic, prioritised way.	Asset renewal programs are progressing. Programs for 2026/27 have been established for marine assets, buildings, fleet, plant and equipment, and roads. Programs for 2027/28 covering buildings, open space, bridges, footpaths, stormwater and marine assets are targeted for completion by March 2027.
Ensure the 4-year capital works program reflects an increased focus on renewal and a realistic assessment of delivery capacity.	The 2027/28 capital works program is being developed with 80 per cent targeted to asset renewal, supported by improved forecasting to strengthen deliverability. Levels of service are also being developed to provide a clearer evidence base for prioritising renewal investment and shaping future capital programs.
Work with key stakeholders to develop an 'opt in' landowner roadside management pilot program to support landowners to reduce weeds and support improved management outcomes.	Preliminary planning is underway for an opt in roadside management pilot program, including identifying potential external funding to inform next steps in its development.
Conduct a review of the 2025 - 26 fire slashing season to enhance operational effectiveness and environmental management.	A review of the 2025/26 fire slashing program has been completed and used to inform the design and planning of the 2026/27 program. The findings are scheduled to be presented at a Council briefing in October.

Council Plan Theme Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Percentage of the Capital Program delivered by the end of the financial year	Council delivered 11.45% of the forecast Capital Program in Q1, ahead of Q1 last year (7%). At 30 September, $5.57 million had been spent and a further $18.04 million committed. Of the 238 registered projects, 83 were in delivery, 26 were complete and 13 were moving through closure. Most remaining projects were in initiation, planning or procurement, with expenditure expected to increase as they progress into construction. The full-year program is forecast at $48.62 million, reflecting proposed re-budgeting of $22.35 million across ten projects to align funding with revised delivery timeframes.	11.45%	≥ 70%
	Number of people utilising the Omeo Mountain Bike Trail	The trail recorded 8,878 visits in Q1, almost double the same quarter last year (4,563). Growing awareness of Omeo as a riding destination and of the quality of the trail network, together with mild spring weather, contributed to the increase. More riders, families and groups are also staying in town, supporting local businesses.	8,878	> 49,598
Half-Yearly	Council sealed local roads and footpaths meeting service level needs	Not yet reportable.		
Annually	Capital renewal programs driven by renewal modelling using updated condition data	Not yet reportable.		
	Number of community members participating in environmental conservation projects	Not yet reportable.		
	Community satisfaction with appearance of public areas	Not yet reportable.		

Managing Council well

We ensure effective leadership, transparent decision-making, and responsible management, fostering trust and collaboration to build a resilient and forward-thinking community.

How this theme is important for the health and wellbeing of our community

By providing inclusive and equitable access to services, processes, and facilities, we ensure that everyone's needs are met, fostering trust and security. Well-managed services enhance public health, support mental and physical well-being and promote social inclusion, reducing isolation and strengthening community connections.



Council asked the community about local issues before drafting its new Local Law, receiving 708 survey responses and nine written submissions. A second round of feedback on the draft will open in December.

Outcome – Council operates transparently and effectively with public trust

Major Initiative	Progress Update
Develop and tailor engagement methods for various areas, projects, and advisory committees, incorporating preferred engagement approaches specific to each context.	Council tailored its engagement methods to better meet the needs of different community groups, including through Mayor pop up sessions and the establishment of the East Gippsland Disability Network. The network gives people with disability, carers, family members, advocates and service providers a dedicated and accessible way to contribute to Council projects and decisions. It was designed using accessible engagement practices, including clear language, accessible formats and a range of feedback options. More than 35 community members registered to join during the quarter, creating an ongoing channel for Council to better understand the needs and experiences of people with disability across East Gippsland. This targeted approach is helping Council move beyond a one size fits all model of engagement.
Publish service summaries on Councils website to provide the community with clear, easy to access information explaining what services we deliver, why they matter and how Council funding is used.	This action is scheduled to commence in quarter two.
Through the continued use of fact sheets, graphs and plain English writing, enhance how we write budgets and financial information to make them easier to understand.	Council adopted the 2026/27 Budget in late June 2026. The Budget includes summary content to make it more accessible to the community and is supported by online and hard copy fact sheets. The Budget and supporting information continue to be promoted alongside financial assistance and rates messaging, with promotion of engagement on the 2027/28 Budget to increase in quarter two. Opportunities to provide budget feedback are open year-round through Council's online engagement portal.
Continue the implementation of Stage 2 of the Customer Response Management improvement program by introducing workflows that increase internal efficiency and support better customer responses.	Stage Two of the Customer Response Management improvement program continued, with process mapping and workflow design completed for the Assets and Planning areas. Engagement with service teams identified opportunities to improve how customer enquiries are categorised, triaged and allocated, and the information needed to handle requests accurately. Minor category reviews for Planning have been completed and are progressing towards implementation. These improvements will support more consistent workflows, greater efficiency, better tracking and reporting, and more timely and effective responses to customers.
Update the Council website to improve accessibility, usability, and support easier access to information and services for our community.	Council's new corporate website was launched in August with no downtime for customers, offering improved functionality, refreshed content and better accessibility. Council teams put considerable effort into updating and maintaining website content to support a positive customer experience. The launch also coincided with the release of the Council IQ

Major Initiative	Progress Update
	transparency website. A chatbot is scheduled to be added in late quarter two to make it even easier for customers to find information and help themselves.
Commence implementation of the New Geographic Information System (online mapping services).	Council has commenced implementation of a new Geographic Information System (GIS) and online mapping services to make location-based information easier for the community to access and use. Work includes implementing the new GIS platform and supporting technology, developing improved online mapping services, reviewing and improving existing mapping data, and identifying more Council information that can be shared through interactive maps. Once complete, residents, businesses and staff will be able to more easily find and understand information about local services, infrastructure, planning and community assets.

Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Major Initiative	Progress Update
Deliver annual actions from the Organisational Plan to drive operational excellence including the development of a Customer Service Charter.	Work is progressing on a Customer Service Charter, which is being developed alongside an updated Complaint Management Policy. Together, these will strengthen Council's approach to customer service and complaints and support consistent service delivery.
Complete a minimum of two service reviews to drive continuous improvement and identify opportunities to enhance service quality and efficiency.	Two significant service reviews commenced this quarter to support continuous improvement across Council. The Roads Service Review will assess current service delivery, identify opportunities for improvement and inform future service planning. The Local Law Review also commenced, with a first round of community engagement to understand current issues, expectations and areas for improvement. Both reviews are in their initial assessment phases and will provide recommendations to enhance service quality and sustainability.
Consider and prioritise the recommendations from the Financial Sustainability Strategy for delivery to ensure Council is well positioned to meet community needs while planning for long-term financial resilience.	Three workshops have been held with Councillors on the Financial Sustainability Strategy to confirm the vision for financial sustainability and explore different scenarios for achieving it. Key targets have been identified and confirmed, and feasibility work is now underway to present back to Councillors.
Finalise the review of the Local Law to ensure it is clear, contemporary and aligned with community priorities, including the introduction of digital self-service options for low risk permits	The Local Law Review progressed significantly this quarter. The first round of community engagement ran from 7 September to 2 October 2026 to identify community priorities and issues, attracting strong participation with 708 survey submissions and nine written submissions. The project also met its funding milestone, with the Community Engagement Plan

Major Initiative	Progress Update
to streamline approvals and reduce regulatory burden on businesses.	delivered by the end of September. Findings from this first round are now informing an Exposure Draft Local Law, with further community consultation to follow.
Implement an organisational wide project management framework that connects all project stages, from initiation through to delivery, to provide a consistent, end-to-end approach to project planning and execution.	Council's new Project Management Framework is now in use across the capital works portfolio. Monthly project updates increased from 149 projects in July to 172 in August and 238 in September, with each project recording its delivery stage and overall status. At 30 September, 216 of the 238 registered projects (91 per cent) had a delivery stage recorded. Weekly status reporting for projects in design and delivery began on 31 July and has run for nine cycles, with 100 per cent on time reporting achieved in the cycle to 11 September. Under the framework's stage gates, decisions were made on nine projects on 21 September, and the Interim Intake Panel has accepted nine new projects across two cycles.
Report on grants received across Council to strengthen transparency, track performance, and identify opportunities to improve funding outcomes and continue to report on community grants.	A reporting process and data collection approach has been established, along with quarterly and annual reporting templates, to report on grant revenue from the Victorian and Commonwealth Governments and other sources. Grant information will be included in Council's quarterly report.

Council Plan Theme Measures

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
Quarterly	Percentage of customer enquiries responded to within required timeframes	Council responded to 23,217 of 23,566 customer requests (98.5%) within the required timeframes this quarter, above the target of 95%. This strong result reflects the work of teams across Council to manage requests efficiently and respond to customers on time.	98.52%	95.00%
	Reduction in the number of customer complaints	Council received 45 complaints this quarter, in line with Q4 (46) and Q1 last year (46). This is the lowest Q1 result in four years, down from 80 in Q1 2023/24. Around one in five complaints related to staff or contractor conduct. In response, Council is reinforcing its customer service standards, professional communication and support for staff in managing challenging interactions.	45	Less than 180
	Increased effectiveness of Council engagement activities	Community participation increased across all engagement measures compared with last quarter. The number of people actively taking part online more than doubled, from 401 to 973. More than 1,400 people also attended 32 in person sessions. Council used a wider mix of engagement tools, including surveys, stories, questions, forums and interactive maps, which generated 55 map contributions, 46 forum contributions and 8 questions. In person sessions gathered feedback on place planning and other community priorities. These results reflect a collaborative approach to planning and promoting engagement, and to reporting back to the community on what was heard.	2,377	More than 6,426

Reporting Frequency	Performance Measure	Comment / Status	YTD Result	Annual Target
	Percentage of community engagement plans developed for Council projects	Three new engagement plans were developed this quarter, for the Local Law Review, the Natural Reserves Strategy and the East Bairnsdale/Lucknow Structure Plan. For the Local Law Review, survey questions, timelines and engagement stages were designed so that as many community members as possible could take part. No new plans were needed for capital projects, as the focus was on delivering works. Council continued to engage with the community and share progress updates on projects including the Slip Road Maritime Precinct, Church Street Pedestrian Crossing, Lanes Road Drainage in Lucknow and Krauatungalung Walk in Lakes Entrance.	100%	100%
	Efficiencies achieved from business service improvements	Council saved $7,540 this quarter through improvements across the organisation, including renegotiating contracts, training staff to deliver services previously provided by external contractors, and refining internal processes. This is lower than Q1 last year ($33,545), when savings were driven by a different mix of projects. Further improvement projects are planned for later in the year to build on this result. Last year's savings increased across the year to a total of $203,351.	$7,540	More than $200,000
Annually	Community satisfaction with consultation and engagement.	Not yet reportable.		

FINANCIAL REPORT

July 2026 to Sep 2026

1. Financial Report Overview and Progress

Quarter One - 1 July 2026 to 30 September 2026

Council has delivered an operating surplus of $52.093 million for the first quarter of the 2026/27 financial year, exceeding the forecast by $4.009 million or 8.34%. This is primarily due to timing differences in Material and services which is currently underspent by $4.129 million.

Overall Financial Performance

The full-year operating surplus is forecast to be $2.558 million, representing an unfavourable variance of $11.940 million against the Adopted Budget. The variance is mainly due to:

- $7.933 million in non-recurrent capital grants associated with the Bairnsdale Runway Extension and Lighting Upgrade which will be completed in 2027/28.
- A carry forward of $2.2 million dollars of grant works that we have received the income for however did not finalise in 2025/26 and were not included in the 2026/27 budget. Most are related to natural disaster support work.
- The assumption that like last financial year we will again receive the Financial Assistance Grants early for 2027/28 and that this budget line will correct in quarter 4.

Year-to-Date Performance

Performance Measure	Actual ($'000)	Forecast Budget ($'000)	Variance ($'000)	Variance (%)
Operating Surplus (YTD)	52,093	48,083	4,009	8.34%

Full-Year Forecast Performance

Performance Measure	Adopted Budget ($'000)	Forecast ($'000)	Variance ($'000)	Variance (%)
Operating Surplus (FY)	14,497	2,558	(11,940)	(82.36%)
Adjusted Underlying Result (FY)	(4,626)	(8,642)	(4,017)	(86.81%)

Year-to-Date (YTD) Performance

At 30 September 2026, total year-to-date expenditure is $32.555 million, which is $4.094 million (11.17%) lower than forecast of $36.649 million. The variance primarily reflects lower expenditure in materials and services due to the timing of expenditure.

Full-Year Forecast

The full-year operating result is forecast to be a surplus of $2.558 million, which is an $11.940 million unfavourable variance compared to the Adopted Budget surplus of $14.497 million.

The variance is mainly due to $7.933 million in non-recurrent capital grants being deferred to the next financial year, primarily related to the Bairnsdale Runway Extension and Lighting Upgrade project, as well as additional expenditure budgeted for the carry-forward of unspent operating grant funding from previous the financial year related to natural disaster supports work.

Opportunities and Risks

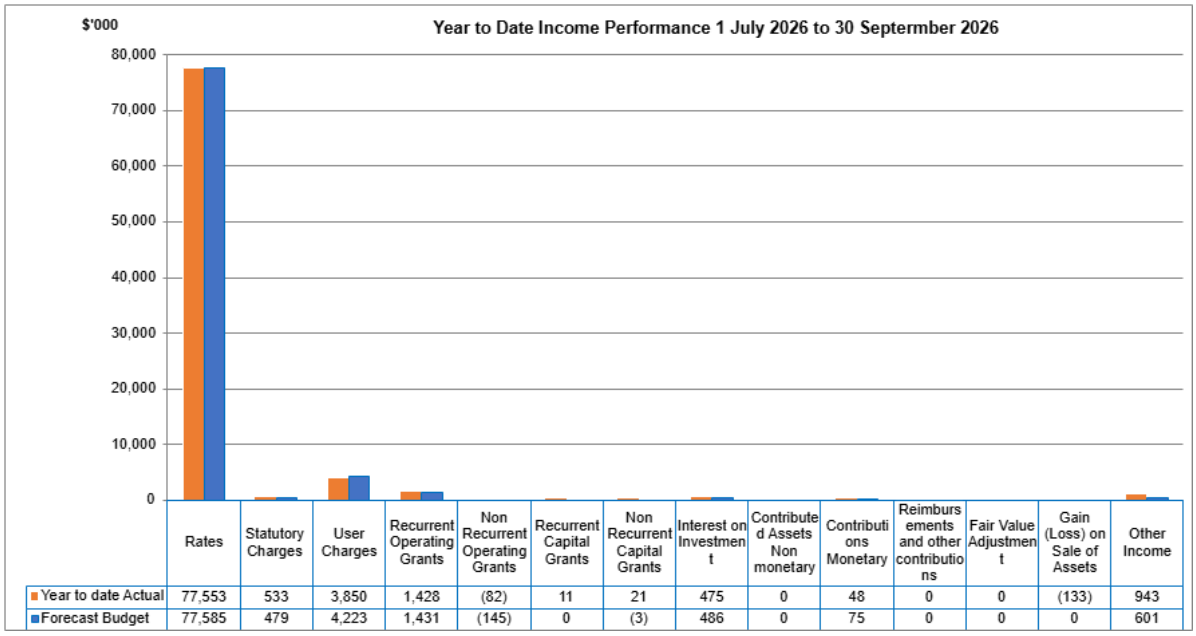
It is assumed that the Financial Assistance Grants for 2027-28 will be received early as has happened for the past number of years, this is a risk to revenue of $18 million and would result in a deficit position estimated at $15 million.

Employee benefits are forecast to be $400,000 above the 2026-27 budget, this is mainly related to grants that were carried forward from 2025-26 – which means we have received money from grants for employees to do pieces of work. A further risk to employee benefits exists due to the uncertainty of seasonal workforce pressures over the summer period.

1.1 Income Statement for the quarter ended 30 September 2026

	Year to date Actual $'000	Year-to-date Forecast Budget $'000	Year-to-date Variance Fav/(Unfav) $'000	Full Year Adopted Budget $'000	Full Year Forecast Budget $'000	Full Year Variance Fav/(Unfav) $'000
Income						
Rates	77,553	77,585	(32)	78,013	78,013	0
Statutory Charges	533	479	54	2,400	2,400	0
User Charges	3,850	4,223	(373)	15,335	15,375	40
Recurrent Operating Grants	1,428	1,431	(2)	22,782	22,782	0
Non-Recurrent Operating Grants	(82)	(145)	63	2,358	2,194	(164)
Recurrent Capital Grants	11	0	11	7,695	6,853	(842)
Non-Recurrent Capital Grants	21	(3)	23	14,991	7,058	(7,933)
Interest on Investment	475	486	(11)	2,541	2,541	0
Contributed Assets Non-monetary	0	0	0	4,000	4,000	0
Contributions Monetary	48	75	(27)	300	300	0
Reimbursements and other contributions	0	0	0	0	0	0
Fair Value Adjustment	0	0	0	132	132	0
Gain (Loss) on Sale of Assets	(133)	0	(133)	0	0	0
Other Income	943	601	343	2,916	3,006	91
Total Income	**84,647**	**84,732**	**(85)**	**153,463**	**144,654**	**(8,808)**
Expenses						
Employee Benefits	12,167	12,215	49	46,927	47,328	(401)
Materials and services	10,861	14,991	4,129	55,026	56,867	(1,841)
Depreciation and Amortisation	8,850	8,818	(32)	34,725	35,667	(942)
Bad and doubtful debts	0	1	0	3	3	0
Borrowing costs	55	87	32	343	343	0
Finance cost - leases	0	0	0	12	12	0
Other expenses	622	537	(85)	1,929	1,876	53
Total expenses	**32,555**	**36,649**	**4,094**	**138,965**	**142,097**	**(3,131)**
Operating Surplus/(Deficit)	**52,093**	**48,083**	**4,009**	**14,497**	**2,558**	**(11,940)**
Net asset revaluation gain /(loss)	**0**	**0**	**0**	**30,000**	**30,000**	0
Total Comprehensive result	**52,093**	**48,083**	**4,009**	**44,497**	**32,558**	**(11,940)**
Adjusted Underlying Surplus/ (Deficit)						
Non-Recurrent Capital Grants	0	0	0	(14,991)	(7,058)	7,933
Contributed Assets	0	0	0	(4,000)	(4,000)	0
Fair Value Adjustment	0	0	0	(132)	(132)	0
Capital contributions and reimbursements	0	0	0	0	(10)	(10)
Adjusted Underlying Surplus/ (Deficit)	**52,093**	**48,083**	**4,009**	**(4,626)**	**(8,642)**	**(4,017)**

Year to Date Income Performance 1 July 2026 to 30 September 2026



	Rates	Statutory Charges	User Charges	Recurrent Operating Grants	Non Recurrent Operating Grants	Recurrent Capital Grants	Non Recurrent Capital Grants	Interest on Investment	Contributed Assets Non monetary	Contributions Monetary	Reimbursements and other contributions	Fair Value Adjustment	Gain (Loss) on Sale of Assets	Other Income
Year to date Actual	77,553	533	3,850	1,428	(82)	11	21	475	0	48	0	0	(133)	943
Forecast Budget	77,585	479	4,223	1,431	(145)	0	(3)	486	0	75	0	0	0	601

Notes for Income Variances

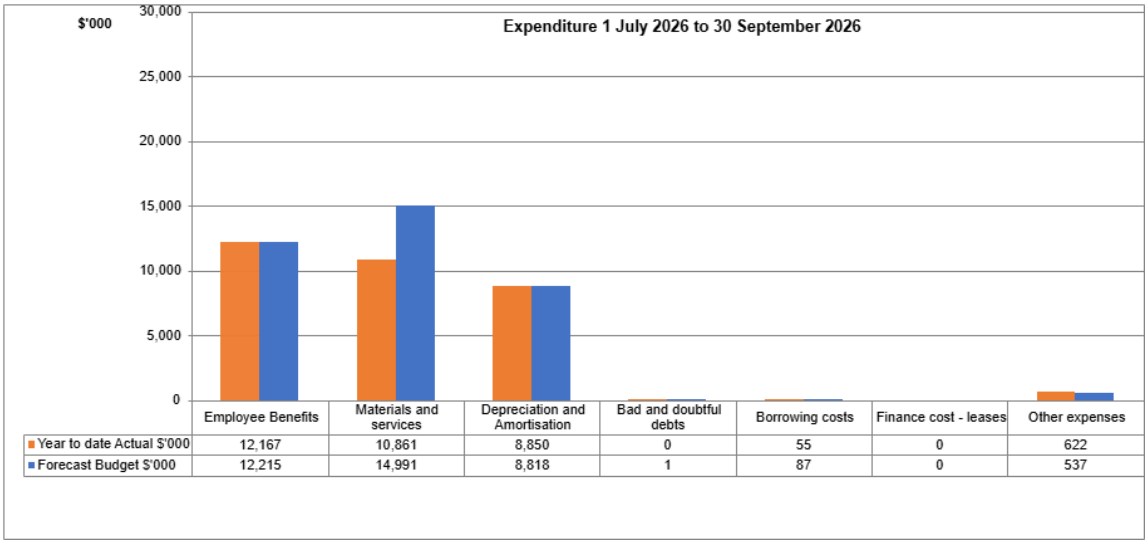
Variances Year to Date

Category	Variance Fav/(Unfav) $'000	Commentary
Income		
User Charges	(373)	Minor timing differences resulting from when invoices are issued, this is expected to be corrected by the end of the financial year.
Other Income	343	Minor timing differences in the timing of invoices, this is expected to be corrected by the end of the financial year

Variances Full Year

Category	Variance Fav/(Unfav) $'000	Commentary
Income		
Recurrent Capital Grants	(842)	A portion of the Road to Recovery Grant project scheduled for delivery in 2026–27 was completed ahead of schedule in 2025–26, with the grant revenue recognised in 2025–26.
Non-Recurrent Capital Grants	(7,933)	Most of this is a grant for the Bairnsdale Runway Extension and Lighting Upgrade project which is proposed to be carried forward to 2027-28.

Expenditure 1 July 2026 to 30 September 2026



	Employee Benefits	Materials and services	Depreciation and Amortisation	Bad and doubtful debts	Borrowing costs	Finance cost - leases	Other expenses
Year to date Actual $'000	12,167	10,861	8,850	0	55	0	622
Forecast Budget $'000	12,215	14,991	8,818	1	87	0	537

Notes for Expense Variances

Variances Year to Date

Category	Variance Fav/(Unfav) $'000	Commentary
Expenditure		
Materials and services	4,129	The variance is a result of the timing of works and services being delivered later than expected.

Variances Full Year

Category	Variance Fav/(Unfav) $'000	Commentary
Expenditure		
Employee Benefits	(401)	Primarily due to the carry-over of grant funded projects from 2025-26 which will be delivered in 2026-27 (i.e. grant money has been received but the work was not completed in 2025-26 so has been carried forward into 2026-27 and is associated with employee costs).
Materials and services	(1,841)	Primarily due to the carry-over of grant funded projects from 2025-26 which will be delivered in 2026-27.
Depreciation and Amortisation	(942)	Higher depreciation due to increased asset valuations applied in the 2025/26 accounts as a result of global supply and inflationary pressures across the construction sector.
Results		
Operating Surplus/(Deficit)	(11,940)	The operating deficit variance is primarily as a result of: - A reduction in Capital Grant income associated with the Bairnsdale Runway Extension and Lighting Upgrade project which is proposed to be carried forward to 2027-28. - An increase in Expenditure budget of Material and Services and Employee costs which are were carried over operating grant expenditure from last financial year.
Adjusted Underlying Surplus/ (Deficit)	(4,017)	Underlying deficit increased from Adopted Budget due to the reduction in Capital Grant income associated with the Bairnsdale Runway Extension and Lighting Upgrade project which is proposed to be carried forward to 2027-28.

1.2 Balance Sheet 30 September 2026

Prior Year Actual ($'000)		Year to date Actual ($'000)	Full Year Adopted Budget ($'000)	Full Year Forecast ($'000)	Full Year Variance ($'000)
	Current assets				
80,044	Cash and investments	82,046	65,661	82,564	16,903
11,437	Receivables	73,240	12,559	12,559	0
38,038	Other financial assets	32,263	15,000	15,000	0
5,764	Other Current Assets	2,003	4,657	5,615	958
135,283	**Total Current Assets**	**189,552**	**97,877**	**115,738**	**17,861**
	Non-current assets				
1,505,107	Property, Infrastructure & Equipment	1,501,385	1,441,209	1,559,168	117,959
13,318	Investment Properties	13,318	13,292	13,292	0
429	Right of Use Assets	422	368	368	0
1,129	Intangible Assets	897	610	610	0
10	Other financial assets	49	10	10	0
59	Receivables	10	124	124	0
1,520,052	**Total Non- Current Assets**	**1,516,080**	**1,455,613**	**1,573,572**	**111,159**
1,655,335	**Total assets**	**1,705,632**	**1,553,490**	**1,696,110**	**129,020**
	Current liabilities				
9,198	Payables	3,014	13,640	13,641	0
4,022	Trust Funds and Other Deposits	5,142	3,821	3,821	0
3,737	Contract and other liabilities	7,385	2,108	2,108	0
7,682	Current Provisions	7,481	14,785	14,785	0
21	Lease Liabilities	21	19	19	0
1,878	Interest Bearing Liabilities	1,700	764	764	0
26,538	**Total Current Liabilities**	**24,743**	**35,137**	**35,138**	**0**
	Non-current liabilities				
13,844	Non - Current Provisions	13,844	7,189	7,189	0
179	Contract and other liabilities	178	419	419	0
514	Lease Liabilities	514	509	509	0
6,622	Interest Bearing Liabilities	6,622	5,859	5,859	0
21,159	**Total Non - Current Liabilities**	**21,159**	**13,976**	**13,976**	**0**
47,697	**Total liabilities**	**45,901**	**49,113**	**49,114**	**0**
1,607,638	**Net assets**	**1,659,731**	**1,504,377**	**1,633,396**	**129,019**
	Equity				
1,066,934	Reserves	1,066,934	967,915	1,096,934	129,019
540,704	Total Retained Earnings	592,797	536,462	550,062	0
1,607,638	**Total Equity**	**1,659,731**	**1,504,377**	**1,633,396**	**129,019**
	Net Surplus for year	**52,093**	**14,497**	**2,558**	**(11,940)**

Notes for Balance Sheet Variances

Variances - Full Year

Category	Variance Fav/(Unfav) $'000	Commentary
Cash and investments	16,903	Increase in cash reflects higher opening cash balance than Adopted Budget and the timing of delivery of capital works projects
Property, Infrastructure & Equipment	117,959	Higher infrastructure asset valuations applied to the 2025-26 financial statements as a result of global supply and inflationary pressures across the construction sector.
Reserves	129,019	The movement is driven by asset revaluation forecast associated with the increase in asset values applied to the 2025-26 financial statements.

1.3 Cashflow Statement for the Period 1 July 2026 to 30 September 2026

	Year-to-date	Full Year		
	Actual	Adopted Budget	Forecast Budget	Variance
	($'000)	($'000)	($'000)	($'000)
Cashflows from Operating Activities				
Ratepayer receipts	16,067	78,048	78,048	0
Statutory fees and fines	515	2,400	2,400	0
User fees	6,167	14,596	14,596	40
Operating Grants	1,269	24,390	24,554	164
Capital Grants	4,032	18,328	9,553	(8,775)
Contributions	48	300	300	0
Interest Received	475	2,500	2,500	0
Trust funds and deposits taken	2,277	8,650	8,650	0
Other Receipts and reimbursements	1,037	2,956	3,047	91
Net GST refund/payment	(718)	0	0	0
Payments to Employees	(12,337)	(46,364)	(46,765)	(401)
Payments to Suppliers	(16,670)	(55,348)	(57,189)	(1,841)
Trust funds and deposits repaid	0	(8,450)	(8,500)	(50)
Other Payments	(681)	(1,929)	(1,876)	53
Net cash provided by (used in) operating activities	**1,481**	**40,077**	**29,358**	**(10,719)**
Cashflows from Investing Activities				
Payments for Property/ Plant	(6,732)	(54,439)	(42,799)	11,640
Proceeds from Investments	(32,263)	(15,000)	17,408	32,408
Proceeds from sale of assets	1,748	0	805	805
Net cash provided by (used in) investing activities	**(37,247)**	**(69,439)**	**(24,586)**	**44,853**
Cashflows from Financing Activities				
Finance costs	(55)	(342)	(342)	0
Loan Principal Repayments	(179)	(1,878)	(1,878)	0
New Loans	0	0	0	0
Interest paid-lease liability	0	(13)	(13)	0
Repayment of lease liabilities	(37)	(19)	(19)	0
Net cash provided by (used in) investing activities	**(271)**	**(2,252)**	**(2,252)**	**0**
Net Increase / (Decrease) in Cash	(36,036)	(31,614)	2,520	34,134
Cash At Beginning of Period/Year	118,082	97,275	80,044	(17,231)
Cash at End of Period/Year	**82,046**	**65,661**	**82,564**	**16,903**

1.4 Capital Works Projects

Capital Works (including Major and Rehabilitation Projects)

The 2026/27 capital works budget was adopted at $54.566 million. Following the carry-forward of $12.033 million across 92 projects from 2025/26 and minor adjustments, the current forecast budget is $66.599 million across 238 projects.

The forecast spend for the year is $48.618 million, $17.981 million below the forecast budget. This mainly reflects $22.351 million proposed to move to future years, partly offset by $1.046 million brought forward from future years and $3.936 million in additional budget requests.

During the quarter, most projects were in design and procurement stages, with construction expected to progress through the second and third quarters. Twenty-six projects were completed during the quarter, with a further 13 being finalised. Twelve projects recorded savings totalling $1.409 million.

Re-budget to future years

Ten projects, totalling $22.351 million, are proposed to be moved to future years for consideration as part of the mid-year budget review. This includes $16.442 million across the two Bairnsdale Aerodrome projects, which are currently in procurement for design and construct contracts, with construction planned for 2027. The main projects proposed to move to future years are:

- Bairnsdale Runway 04/22 Extension and Lighting Upgrade: $12.132 million
- Bairnsdale Aerodrome Taxiway and Apron Rehabilitation: $4.310 million
- WORLD Sporting Precinct: $2.700 million
- Connleys Road, Omeo Upgrade Stage 2: $0.869 million
- Reseal Renewal Program: $0.716 million
- Renewal of Corporate Systems: $0.500 million

Environmental and cultural heritage approvals, grant funding variations, coordination with utility and transport authorities, and consultant capacity are the most common causes of delay.

Capital Works Budget	Amount ($) in millions	Projects
Adopted capital budget 2026-27	54.566*	*Includes landfill rehab $0.125m & maintenance operations projects $0.120m not included in Table 1.5 below
Carry-forward from 2025-26	12.033	92
Current approved budget	**66.599** *	238
Re-budget to future years	(22.351)	10
Additional budget requested	3.936	8
Bring forward from future years and transfer from reserves	1.846	38
Savings	(1.409)	12
Forecast at completion 2026-27	**48.618 ***	238

Capital Works Program Summary as at 30 September 2026

Expenditure to 30 September was $5.565 million, with a further $18.036 million committed, representing a combined 36 per cent of the current approved budget. The portfolio remains weighted towards the early stages of delivery with 21 projects in Initiation, 54 in Planning, 19 in Procurement, 83 in Delivery, 13 in Closure and 26 Complete. A further 22 projects are yet to have a stage recorded. The number of projects in the register

increased from 149 in July to 172 in August and 238 in September. The forecast at completion was $48.618 million at the end of September, following the inclusion of the aerodrome re-budget adjustment. Estimates include Waste Rehabilitation and Aftercare non-capital projects (Major Projects) but excludes Community projects including the Old Slipway Seawall as this is not a Council asset.

Break-down of the program by delivery stage:

Delivery stage	Projects
Initiation	21
Planning	54
Procurement	19
Delivery	83
Closure	13
Complete	26
Yet to be staged	22
Total	**238**

1.5 Capital Works report by asset class as at 30 September 2026 (excluding Major and Rehabilitation Projects included in Capital Works Projects 1.4 above)

	Year to date Actual	Full Year		
		Adopted with actual carry forwards	Forecast Budget	Variance Adopted budget to Forecast budget
	$'000	$'000	$'000	$'000
Property				
Land	6	335	335	-
Total land	**6**	**335**	**335**	**-**
Buildings	266	6,129	6,706	577
Heritage buildings	-	38	38	-
Total buildings	**266**	**6,167**	**6,744**	**577**
Total property	**272**	**6,502**	**7,079**	**577**
Plant and equipment				
Plant, machinery and equipment	882	3,505	2,594	(911)
Fixtures, fittings and furniture	22	70	110	40
Computers and telecommunications	234	2,832	2,288	(544)
Library books	102	209	209	-
Total plant and equipment	**1,240**	**6,616**	**5,201**	**(1,415)**
Infrastructure				
Roads	780	8,964	7,343	(1,621)
Bridges	-	4,561	3,956	(605)
Footpaths and cycleways	49	1,177	1,481	304
Drainage	392	3,425	3,828	403
Recreational, leisure and community facilities	142	7,040	5,406	(1,634)
Waste management	333	685	1,960	1,275
Parks, open space and streetscapes	2,074	7,894	8,321	427
Aerodromes	199	18,969	3,196	(15,773)
Off street car parks	3	367	268	(99)
Other infrastructure	15	150	280	130
Total infrastructure	**3,987**	**53,232**	**36,039**	**(17,193)**
Total capital works expenditure	**5,499***	**66,350***	**48,319***	**(18,031)**

1.5 Treasury

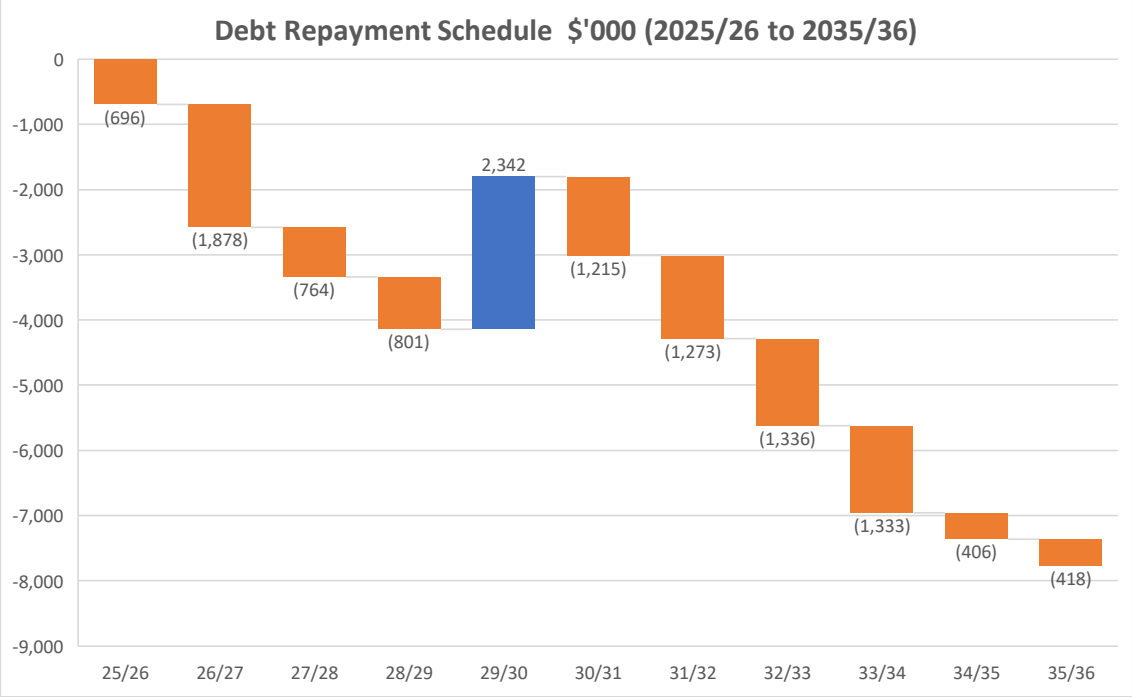
Council has paid $0.178 million in scheduled principal debt repayments in the period 1 July 2026 to 30 September 2026.

The interest rates as at the end of September for each loan are as follows:

1. Tambo Bluff Special Charge Scheme – 8.66% (recovered from the scheme participants)
2. Community Infrastructure Low Interest Loans from Treasury Corporation of Victoria:
   - WORLD Sporting Precinct – 4.83%
   - Eagle Point Foreshore Hub – 4.625%

The full year debt repayments are on schedule, with a forecast end of year balance of $6.623 million.

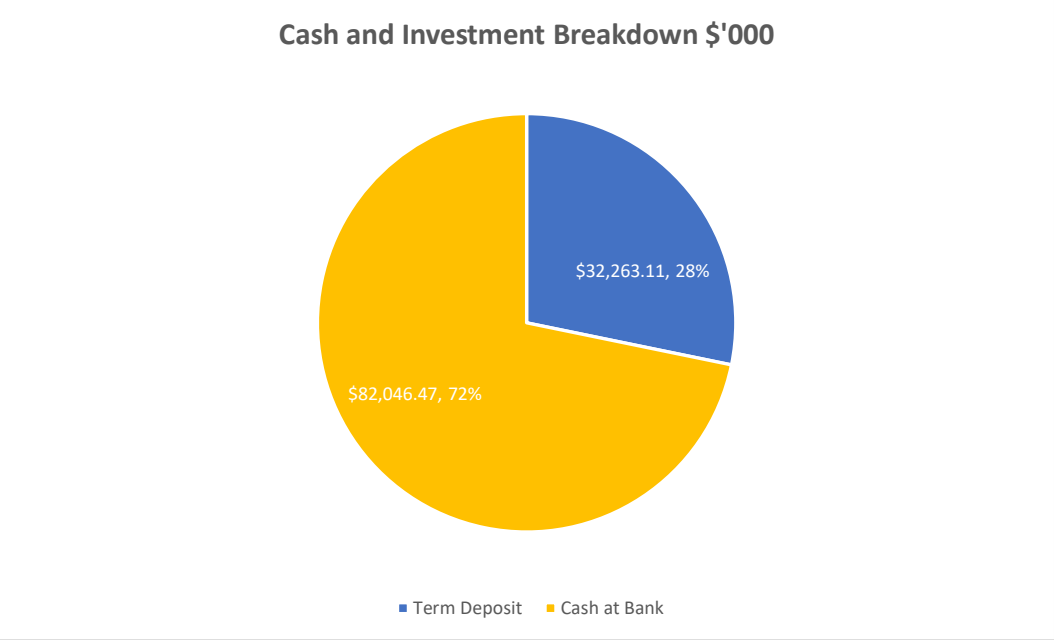
	YTD September 2026				Full Year Forecast			
Loan Maturing	Opening Balance $'000	Principal Repaid $'000	New Loans $'000	Closing Balance $'000	Opening Balance $'000	Repayments $'000	New Loans $'000	Closing Balance $'000
Current Loans	1,878	(178)	0	1,700	1,878	(1877)	0	1
Non-Current Loans	6,622		0	6,622	6,622	0	0	6,622
	8,500	**(178)**	**0**	**8,322**	**8,500**	**(1,877)**	**0**	**6,623**



Cash and investments

Cash and investment holdings decreased by $3.773 million compared to the balance on 30 June 2026 of $80.044 million. The movement reflects the timing of cash inflows and outflows during the period. As at 30 September 2026, Council holds $32.263 million in term deposits with an average interest rate of 5.15%.

Councils cash and investments are primarily held with A1+ rated financial institutions in compliance with the Investment Policy, the Investment Policy also permits 20% of cash and investments in A2 rated financial institutions. The Investment Policy does require Council to limit 50% of cash and investments with any one A1+ financial institution, however Council is holding more than 50% cash and investments with NAB at this time. NAB is the Councils banking provider and this also allows Council to maximising returns through the NAB daily banking sweep arrangement. This is low risk as NAB has a A1+ credit rating, Council will review its investment strategy as the 2026-27 forecast and associated activities are settling.



1.6 Procurement

To meet the needs of the community and support Council's operational requirements, Council undertakes procurement processes (including tenders) and awards contracts for infrastructure works, goods and services.

As outlined in the Procurement Policy, Council formally recognises the significant role procurement plays in contributing to the economic prosperity of the Shire. Accordingly, local suppliers and service providers are encouraged to compete for opportunities to supply goods, services and works to Council.

The following is a public summary of all contracts awarded to suppliers by Council or under delegation between 1 July 2026 - 30 September 2026:

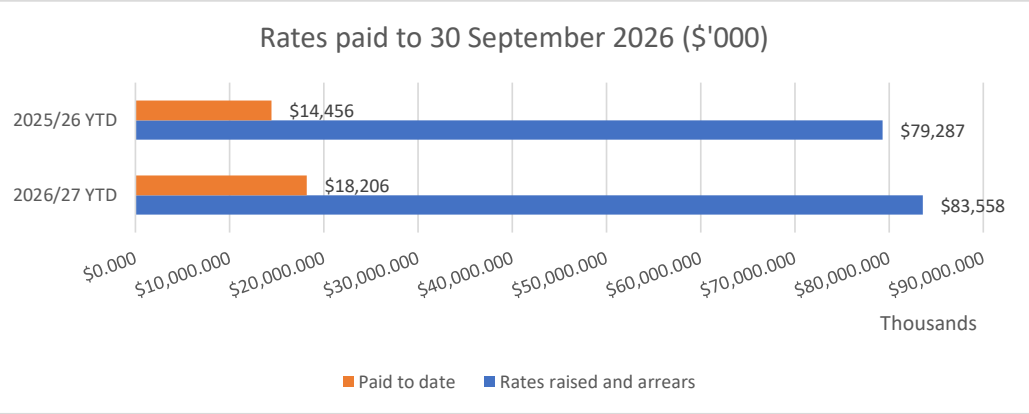
Contract number	Contract name	Date of award	Supplier	Estimated contract value (ex GST)	Contract period	Supplier location	Approval level
CON2026 1797	Council managed CCTV network – maintenance and support	27/07/2026	CSE Crosscom Pty Ltd	Schedule of rates	3 years	Latrobe City	Council
CON2026 1797	Council managed CCTV network – maintenance and support	27/07/2026	Cynexus Pty Ltd	Schedule of rates	3 years	East Gippsland	Council
CON2026 1797	Council managed CCTV network – maintenance and support	27/07/2026	KTR Electronics Pty Ltd	Schedule of rates	3 years	Cardinia	Council
CON2026 1797	Council managed CCTV network – maintenance and support	27/07/2026	National Operations Network Pty Ltd	Schedule of rates	3 years	Latrobe City	Council
CON2026 1797	Council managed CCTV network – maintenance and support	27/07/2026	Uplinx Advanced Services Pty Ltd ATF Ingenisys Capital Trust	Schedule of rates	3 years	City of Stonington	Council
CON2026 1784	Bridge Replacement – Lees Road, Mossiface	24/08/2026	Tambo Construction Proprietary Limited	$543,624.00	12 weeks*	East Gippsland	Council

Contract number	Contract name	Date of award	Supplier	Estimated contract value (ex GST)	Contract period	Supplier location	Approval level
CON2026 1785	Bridge Replacement – Hollonds O'Briens Road, Swifts Creek	24/08/2026	Jarvis Norwood Construction Pty Ltd	$652,730.00	12 weeks*	East Gippsland	Council
CON2026 1786	Pedestrian Bridge Replacement – Howitt Park, Bairnsdale	24/08/2026	Jarvis Norwood Constructions Pty Ltd	$652,420.00	12 weeks*	East Gippsland	Council
CON2026 1787	Bridge Replacement – Healeys Road, Marlo	24/08/2026	Tambo Construction Proprietary Limited	$642,780.00	16 weeks*	East Gippsland	Council
CON2026 1771	Design and Construct Landfill Gas Extraction System Expansion	06/07/2026	Resolve Environmental Pty Ltd	$458,141.50	20 weeks*	City of Melbourne	Council
CON2027 1738	Schedule of Rates Contract for Bituminous Sealing in East Gippsland	24/09/2026	Fulton Hogan Industries Pty Ltd	$459,453.10	8 months	East Gippsland	Council

* from possession of site

1.7 Rates Performance

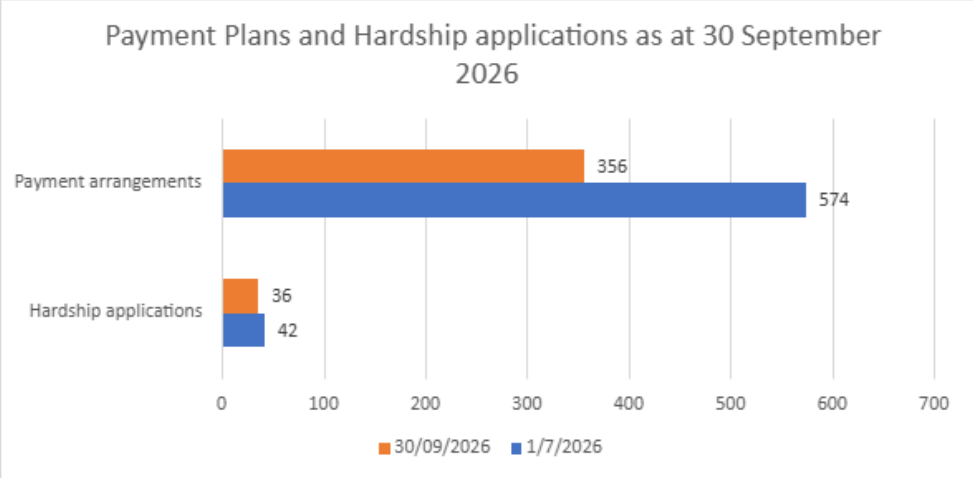
As at 30 September 2026, 22% of rates revenue has been received. This is 4% higher than the proportion collected at the same point in the previous financial year.



The 2026/27 annual rate notices were issued late August with rates to be paid either by 4 instalments or due in full on 15 February 2027. The rates team continue to engage proactively with customers to provide advice on the rates and charges, options for valuation objections and to support as much flexibility as possible to get rates paid.

The Rates Roadshows have recently concluded in mid-October, with team members visiting various communities to assist ratepayers in understanding their rates and available payment options.

Council offers flexible payment arrangements for ratepayers experiencing difficulty paying, allowing smaller instalments to be paid over an extended period without interest. The Rates team works with residents to establish suitable arrangements based on individual circumstances. The implementation of the new payment platform (Payble) will assist ratepayers to establish payment options that suit their individual needs without the need to contact Council. They can access this platform 24/7 to schedule payments weekly, fortnightly or monthly which will ensure the rates are paid in full by the due date/s.


Payment Plans and Hardship applications as at 30 September 2026
Payment arrangements
356
574
Hardship applications
36
42
0
100
200
300
400
500
600
700
30/09/2026
1/7/2026

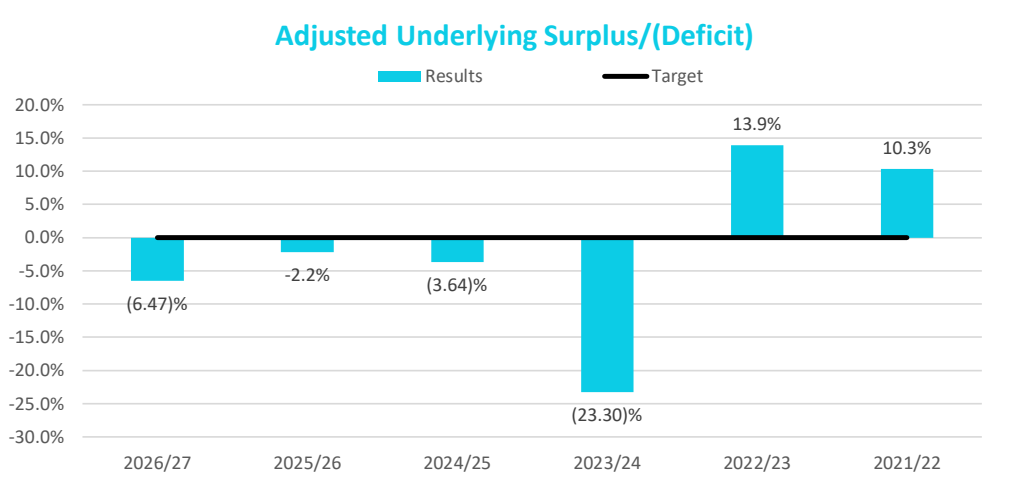
2. Year to Date Financial Analysis

2.1 Financial Ratios

Adjusted underlying surplus/(deficit)

The adjusted underlying result reflects Council's operating performance from its ordinary activities, excluding the impact of non-recurrent capital grants, non-monetary asset contributions, and other capital funding sources from the net result.

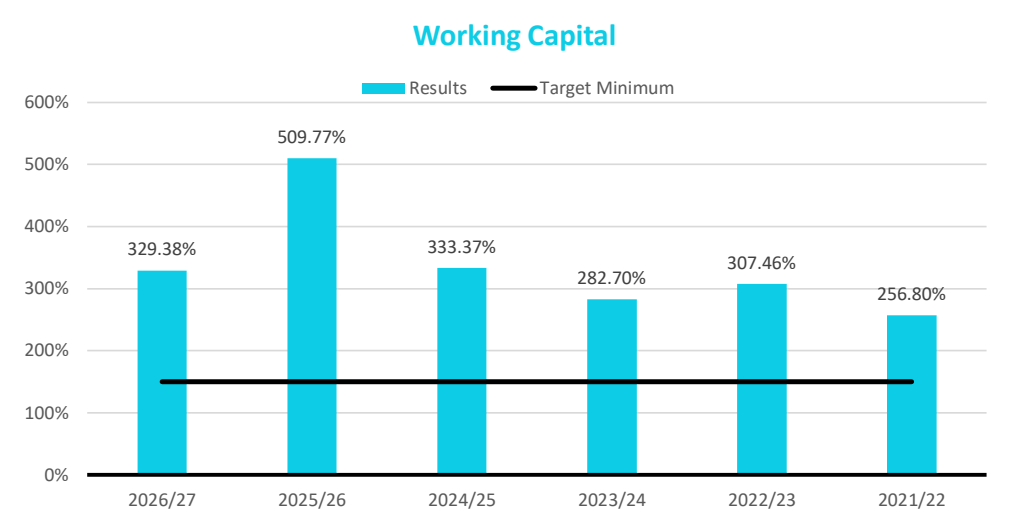
For 2026-2027, the adjusted underlying result is forecast to be a deficit of 6.47%. It is more than the adopted budget deficit of 3.44 % by 3.03%. The increase in deficit is due to the carry forward in capital grants income to align with capital works program delivery.



Liquidity

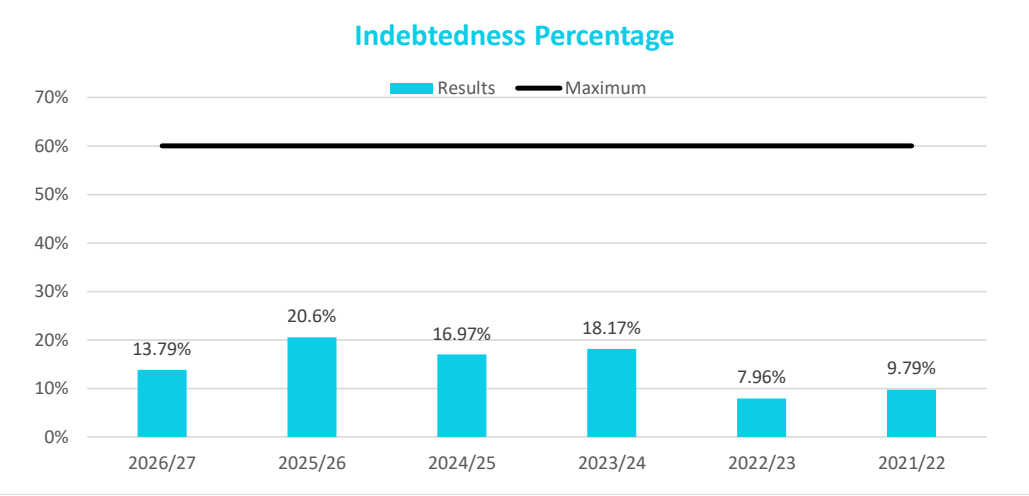
The Working Capital Ratio shows whether Council has enough short-term assets (such as cash and receivables) to pay its short-term bills and obligations.

As at 30 September 2026, the forecast ratio is 329.38%, compared to the target of 150%. This means Council currently has more than twice the amount of short-term assets needed to cover its short-term liabilities, indicating a sound short-term financial position.



Obligations

The Indebtedness Ratio shows how Council's long-term debt compares to the revenue it generates from its own sources. As at 30 September 2026, this ratio is forecast to be 13.79%, well below the target limit of 60%. This indicates that Council's level of long-term liabilities is low relative to its revenue base.

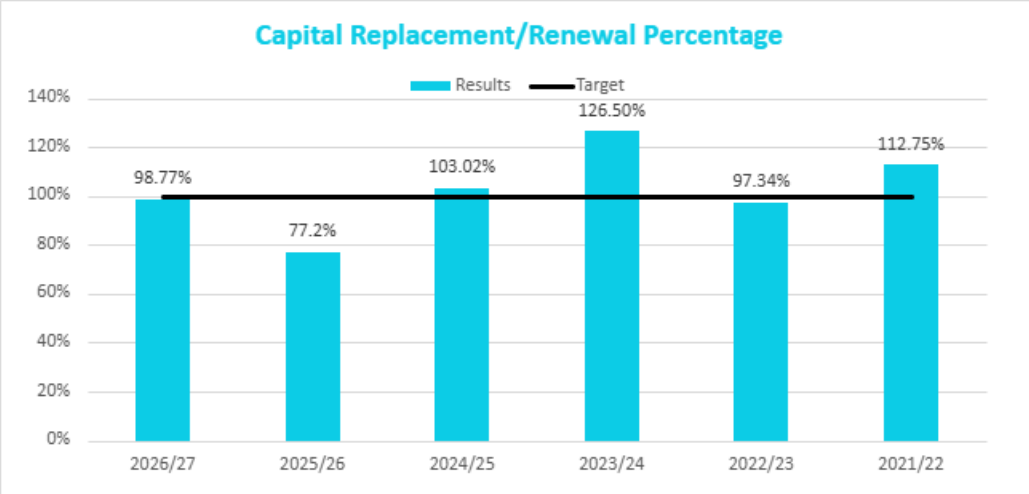


Asset Renewal

The Capital Replacement (Renewal) Ratio compares Council's spending on renewing infrastructure, property, plant, and equipment with the rate these assets are depreciating over time.

A result of 100% or higher indicates that assets are being renewed at least as quickly as they are wearing out. Council's target is to maintain this ratio at 100% or above each year to support long-term asset sustainability and service delivery.

For 2026/27, asset renewal investment is forecast to be $34.282 million. The ratio is currently slightly below target, largely due to the scale of the capital works program being carried forward to next financial year which has decreased total renewal activity above the depreciation level for the year.



5.3.3 Rescission of Prevention of Sexual Harassment Policy

Authorised by General Manager Business Excellence

Purpose

This report seeks Council approval to rescind the Prevention of Sexual Harassment Policy (Policy) provided at **Attachment 1**.

Recommendation

That Council rescinds the Prevention of Sexual Harassment Policy.

Key Points

The Policy, provided at **Attachment 1**, was adopted by Council on 17 May 2022 in response to recommendations arising from the Victorian Auditor-General's Office (VAGO) report on Sexual Harassment in Local Government (December 2020), which recommended councils establish standalone sexual harassment policies and procedures to support workplaces free from sexual harassment.

The Policy applied to Councillors, employees, contractors and volunteers and established Council's commitment to providing a safe, respectful and inclusive workplace free from sexual harassment and sexual assault. It also outlined behavioural expectations, reporting pathways and organisational responsibilities.

Since adoption of the Policy, the Councillor conduct framework has evolved, including the introduction of the mandatory Model Councillor Code of Conduct under the *Local Government (Governance and Integrity) Amendment Regulations 2024*. This addresses the same matters covered by the Sexual Harassment Policy and Councillors remain subject to these statutory conduct obligations, including requirements to treat others with dignity, fairness, objectivity, courtesy and respect and to refrain from demeaning, abusive, threatening or discriminatory behaviour, including behaviour of a sexual nature.

A review of the Policy confirmed that the requirements, responsibilities, reporting pathways and behavioural expectations contained within the Policy continue to be addressed through Council's existing workplace governance framework. The Human Resource Manual includes a management policy titled Prevention of Sexual Harassment Policy, ensuring no material governance gap is created by the proposed rescission.

Rescinding the Policy will remove duplication within Council's governance framework while maintaining Council's ongoing commitment to preventing sexual harassment and complying with legislative obligations.

Background

To meet its obligations under the *Local Government Act 20*20 and maintain community trust and confidence, Council must ensure its governance framework reflects contemporary standards of good governance, integrity, transparency and effective decision-making.

Council policies are an important component of Council's governance framework and are intended to:

- support Council's strategic vision and objectives;
- promote transparency and consistency in decision-making;
- ensure compliance with legislative and regulatory obligations;
- support effective organisational governance; and
- manage strategic and operational risk.

Council policies support strategic direction, ensure compliance and provide clear governance positions. As part of ongoing governance assurance, Council's policy framework has been reviewed to ensure policies remain contemporary and fit-for-purpose.

Prevention of Sexual Harassment Policy

The Policy was adopted by Council on 17 May 2022 in response to recommendations arising from the VAGO report on Sexual Harassment in Local Government (December 2020), which recommended councils establish standalone sexual harassment policies and procedures to support workplaces free from sexual harassment.

A review of the Policy confirmed that the requirements, responsibilities, reporting pathways and behavioural expectations contained within the Policy continue to be addressed through Council's existing workplace governance framework. The Human Resource Manual includes a management policy titled Prevention of Sexual Harassment Policy, ensuring no material governance gap is created by the proposed rescission.

Rescinding the Policy will remove duplication within Council's governance framework while maintaining Council's ongoing commitment to preventing sexual harassment and complying with legislative obligations.

Strategic Alignment

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Consultation/Community Engagement/Impacts

Internal consultation has been undertaken with document owners to confirm the basis for rescission and assess any potential impacts.

The proposed policy rescission is not expected to have a direct impact on the community, as the matters addressed by the Policy will continue to be governed through Council's existing workplace governance, employee conduct and complaint management arrangements.

Opportunities and Risks

Opportunities

Rescinding Council-adopted policies whose content is operational in nature provides an opportunity to streamline Council's policy framework and ensure Council-adopted policies remain focused on strategic, legislative and governance matters.

The proposed rescission will reduce duplication within Council's governance framework and improve clarity regarding the distinction between Council policy positions and operational administration.

The rescission will also support a more contemporary and efficient governance framework by enabling operational workplace matters to be maintained through internal governance mechanisms that can be reviewed and updated in response to legislative, operational and organisational requirements.

Risks

There is a potential risk that rescission of the Policy may be perceived as reducing Council's commitment to preventing sexual harassment or reducing behavioural expectations for Councillors, employees and workplace participants.

This risk is mitigated through the continued operation of legislative obligations, the Model Councillor Code of Conduct, employee conduct requirements, workplace procedures, complaint management processes and training arrangements. Council will continue to maintain a zero-tolerance approach to sexual harassment and sexual assault in the workplace.

Climate Change

This report is assessed as having no direct impact on climate change.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Prevention of Sexual Harassment Policy [**5.3.3.1** - 16 pages]

Version number: 1
Authorised by: General Manager Business Excellence

Prevention of Sexual Harassment Policy

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Purpose

To set out the legal responsibilities and obligations for East Gippsland Shire Council (EGSC) and its staff, Councillor's labour hire agency staff, contract workers, volunteers, persons seeking employment, consultants, students, trainees and volunteers in relation to sexual harassment and sexual assault.

Sexual harassment is unlawful and prohibited by both the *Equal Opportunity Act 2010* (Vic) and the *Sex Discrimination Act 1984* (Cth). **Sexual assault** is unlawful and is a criminal offence.

EGSC is committed to providing a safe, flexible and respectful environment that is free from all forms of sexual harassment and sexual assault and provides courses of action if you feel you have been sexually harassed or sexually assaulted. These courses of action are outlined in the Prevention of Sexual Harassment Procedure.

This policy aligns with Council's values of Respect, Collaboration, Integrity and Accountability and the associated expected behaviours.

Scope

This policy applies to all staff engaged by EGSC, including all full-time, part-time and casual employees, labour hire agency staff, contract workers, Councillors, persons seeking employment, consultants, students, trainees and volunteers. The legislation and instruments mentioned in this policy may apply to particular categories of staff.

This policy applies to circumstances (including but not limited to):

- how EGSC provides services and how it interacts with members of the public;
- all aspects of employment, recruitment and selection, conditions and benefits, training and promotion, task allocation, shifts, hours, leave arrangements, workload, equipment and transport;
- whenever staff or Councillors are representing EGSC in the performance of their duties including on-site, off-site, at work-related social functions, conferences, training and development opportunities;
- out of work hours interaction where there is a strong connection to EGSC and the employment relationship; and
- staff treatment of others in the performance of their duties.

Policy Context

The *Equal Opportunity Act 2010* and the *Sex Discrimination Act 1984* provide that sexual harassment occurs in circumstances in which the conduct is unwelcome and where a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Sexual assault is any unwanted or forced sexual activity without a person's consent.

EGSC staff, Councillors, labour hire agency staff, contract workers, consultants, students, trainees and volunteers are required to treat others with dignity and respect, and engage in their responsibilities in a professional manner, and must not engage in unlawful conduct, including sexual harassment. Therefore, this Policy should be read and applied in conjunction with the relevant Code of Conduct for ESCG Staff and Councillors.

Sexual harassment is unlawful and will not be tolerated in the workplace. A single incident can constitute sexual harassment.

EGSC has a duty to ensure the health and safety of employees, Councillors, labour hire agency staff, contract workers, consultants, students, trainees and volunteers:

- to eliminate risks to health and safety so far as is reasonably practicable; and
- if it is not reasonably practicable, to eliminate risks to health and safety, to reduce those risks so far as is reasonably practicable.

Individuals may be personally liable if allegations of sexual harassment are substantiated against them and legal action (civil and/or criminal) may be taken against a person who has engaged in sexual harassment.

Conduct constituting sexual harassment by an employee, Councillor, labour hire agency staff member, contract worker, consultant, student, trainee or volunteer may also expose the EGSC to liability. The EGSC may be vicariously liable for an individual's conduct undertaken in the course of, or in connection with, their employment or placement/appointment.

Most instances of sexual harassment (but importantly not all) are experienced by women.

EGSC recognises that comments and behaviour that do not offend one person can offend another.

When managing reports of sexual harassment, EGSC will also refer to relevant industrial instruments.

Legislation

Sexual harassment is a specific and serious form of harassment that is unlawful and prohibited by both Victorian and Commonwealth legislation.

Victorian legislation

The *Equal Opportunity Act 2010* requires EGSC to take reasonable and proportionate steps to eliminate sexual harassment in the workplace as far as practicable.

Section 92 of the *Equal Opportunity Act 2010* provides that a person sexually harasses another person:

- if he or she makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person;
- if he or she engages in any other unwelcome conduct of a sexual nature in relation to the other person; or
- in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Section 93 of the *Equal Opportunity Act 2010* prohibits sexual harassment in the workplace. This prohibition covers employers, employees, any person seeking employment, contract workers and volunteers. Section 94 of the *Equal Opportunity Act 2010* prohibits sexual harassment in common workplaces (i.e. places that are the workplace of both people involved whether or not they have the same employer).

Conduct of a 'sexual nature' includes:

- subjecting a person to any act of physical intimacy;
- making, verbally or in writing, any remark or statement with sexual connotations to a person or about a person in their presence;
- making any gesture, action or comment of a sexual nature in a person's presence.

In Victoria, section 42 of the *Crimes Act 1958* contains the offence of Assault with Intent to Commit a Sexual Offence which is the unwanted application of physical force with the intention of performing an unwanted sexual act.

Commonwealth legislation

Section 28A of the *Sex Discrimination Act 1984* provides that a person sexually harasses another person (the "person harassed") if:

- the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or
- engages in other unwelcome conduct of a sexual nature in relation to the person harassed;

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

The relevant circumstances to be taken into account may include, but are not limited to, the following:

- the sex, age, sexual orientation, gender identity, intersex status, marital or relationship status, religious belief, race, colour, or national or ethnic origin, of the person harassed;
- the relationship between the person harassed and the person who made the advance or request or who engaged in the conduct;
- any disability of the person harassed;
- any other relevant circumstance.

'Conduct of a sexual nature' includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

Section 28B provides that it is unlawful for:

- a person to sexually harass an employee of the person, or a person who is seeking to become an employee of the person;
- an employee to sexually harass a fellow employee or a person who is seeking employment with the same employer;
- a person to sexually harass a commission agent[1] or contract worker of the person, or a person who is seeking to become a commission agent or contract worker of the person;
- a commission agent or contract worker to sexually harass a fellow commission agent or contract worker;
- a workplace participant[2] to sexually harass another workplace participant at a place that is a workplace of either or both of those persons.

[1] The *Sex Discrimination Act 1984* defines a commission agent as "a person who does work for another person as the agent of that other person and who is remunerated, whether in whole or in part, by commission."

[2] Workplace participant includes an employer or employee, a commission agent or contract worker or a partner in a partnership.

Code of Conduct

Employees, labour hire agency staff, students and trainees are required to conduct themselves in a manner that is consistent with the Staff Code of Conduct and in line with EGSC's values and expected behaviours as follows:

- **Respect –** we treat all with courtesy and dignity
- **Collaboration** – we build and maintain productive relationships
- **Integrity** – we focus on taking the correct course of action
- **Accountability** – we are responsible for our actions and outcomes.

Councillors are required to conduct themselves in a manner that is consistent with the Councillor's Code of Conduct.

Local policies and procedures may include specific expectations for staff or individuals in particular roles or undertaking particular projects including contract workers, consultants and volunteers.

Policy Statement

EGSC will not tolerate any form of sexual harassment or more serious sexual assault in the workplace.

Sexual harassment is a specific and serious form of harassment that is unlawful and prohibited by both Victorian and Commonwealth legislation.

The *Equal Opportunity Act 2010* requires EGSC to take reasonable and proportionate steps to eliminate sexual harassment in the workplace as far as practicable.

Sexual assault is a crime and conduct of this nature will be referred to police.

Sexual Harassment in the Workplace

What is sexual harassment?

Sexual harassment in the workplace may take various forms and can be directed at, and perpetrated by, all persons including men, woman, transgender and gender diverse. It may be physical, spoken or written and may include, but is not limited to:

- unwelcome physical contact of a sexual nature;
- comments or questions of a sexual nature about a person's private life or their appearance;
- sexually suggestive behaviour, such as leering or staring or offensive gestures;
- brushing up against someone, touching, fondling or hugging;
- sexually suggestive comments or jokes;
- displaying offensive screen savers, photos, calendars or objects;
- repeated requests to go out;
- unwanted displays or declarations of affection;
- requests for sex;
- sexually explicit emails, text messages or posts on social networking sites;
- sexual assault, indecent exposure, physical assault and stalking (which are also criminal offences); and

- actions or comments of a sexual nature in a person's presence (even if not directed at that person).

There is no requirement that the unwelcome conduct be repeated; a one-off incident can be sexual harassment. Equally, a broader pattern of behaviour can constitute sexual harassment.

Just because someone does not object to inappropriate behaviour in the workplace at the time it occurs does not mean that they are consenting to the behaviour or consenting for the behaviour to continue at another time.

What is sexual assault?

Sexual assault is any unwanted or forced sexual activity without a person's consent.

Assault occurs when a person:

- Touches another person inappropriately without their consent – groping is a form of sexual assault
- Forces another person against their will to commit an act of gross indecency – a sexual act that does not involve penetration, for example a person forces another person to touch their genitals
- Forces another person to see an act of gross indecency, for example the person masturbates in front of the other person.

Rape is the most serious form of sexual assault – forcing someone to have sexual intercourse without his or her consent.

Third party sexual harassment

Third-party sexual harassment happens when the harassment is committed not by another employee or someone within the organisation, but by an outsider. Typical perpetrators of this type of harassment include clients, customers, vendors who come on site or otherwise interact with employees, independent contractors who work for the company, and employees or contract workers of a different company, volunteers, students or trainees.

What is the workplace?

Within the workplace

For the purposes of sexual harassment law, a workplace is any place a person attends for the purpose of carrying out functions in connection with, or in the course of their employment or prospective employment. It includes a place that is a workplace of either, or both people involved in an incident of sexual harassment.

This policy also pertains to employees, Councillors, labour hire agency staff, contract workers, consultants, students, trainees and volunteers who visit other offices i.e. the same behavioural standards that exist in their workplaces, apply in other offices that these individuals visit.

Section 94 of the *Equal Opportunity Act 2010* provides that a workplace is the place a person attends for the purpose of carrying out functions in relation to their employment. It does not need to be the person's principal place of business or employment.

The workplace is not confined to the actual physical location used by the employees, Councillors, labour hire agency staff, contract workers, consultants, students, trainees and volunteers. It also extends to common areas such as lifts, entrances, vehicles, reception areas, corridors, kitchens and toilets of the premises.

Beyond the workplace and outside working hours

Behaviour constituting sexual harassment can occur beyond the usual workplace and outside normal working hours. For example, workplace sexual harassment can occur where there is a link to employment including (but not limited to):

- at social functions sponsored and paid for by EGSC;
- at social functions in connection with the team/workplace but not sponsored or paid by EGSC;
- in vehicles while on the way to work functions or meetings;
- at after-parties to such events (regardless of their location);
- in accommodation (including hotel rooms) associated with or provided by EGSC;
- online via use of technology and social media; and
- any other location in situations where the conduct commenced in the workplace and continued outside the workplace and vice-versa.

Consumption of alcohol at work functions or at a work-related event outside the usual workplace and hours of work is not an excuse for conduct that constitutes sexual harassment. Individuals should regulate their own behaviour and consumption of alcohol to ensure their behaviour does not adversely impact others. Employees, Councillors, labour hire agency staff, contract workers, consultants, students, trainees and volunteers should be mindful that in such situations, they continue to be subject to the EGSC Staff Code of Conduct, our values and behavioural standards, the Councillor Code of Conduct and/or other relevant policies and procedures.

For further information, please also refer to the EGSC Drugs and Alcohol in the Workplace Policy.

Reporting Sexual Harassment

EGSC has a zero-tolerance approach to any form of sexual harassment or in the workplace and is committed to taking reasonable steps to providing a workplace free of this behaviour.

EGSC strongly encourages employees, Councillors, labour hire agency staff, contract workers, consultants, students, trainees, volunteers or person's seeking employment who believe they have been sexually harassed or, or have witnessed sexual harassment or to follow the process outlined in the Prevention of Sexual Harassment Procedure.

Complaints can be made formally or informally and will be handled in accordance with the Procedure.

Confidentiality

Where appropriate, complaints of sexual harassment will be treated in confidence in order to protect an individual's personal privacy as much as possible. In some instances, a matter may need to be escalated or referred without agreement from the individual as outlined in the Prevention of Sexual Harassment Procedure. Confidential information should be managed in accordance with the EGSC Staff and Councillor Codes of Conduct, which are in line with obligations under the *Local Government Act* 2020 and Information Privacy Policy and Guidelines.

Bystander intervention

Bystanders, including colleagues, who witness or are aware of sexual harassment are encouraged to:

- provide support to the colleague or person who is being subjected to sexual harassment;
- formally or informally challenge concerning behaviour; and
- report sexual harassment.

Please refer to the Prevention of Sexual Harassment Procedure for more information.

Reporting Sexual Assault

In cases of sexual assault, employees are encouraged to make a report to the police. Employees are also encouraged to report the incident to their direct supervisor or Human Resources Coordinator, regardless of whether a report is made to the police or not.

Responding to Sexual Harassment

Employer's responsibility

All staff with management responsibilities, regardless of level, have a responsibility to improve the work culture by adopting a zero-tolerance approach to sexual harassment. EGSC must take active steps to prevent sexual harassment in the workplace, not just respond to complaints if they arise.

Under the *Occupational Health and Safety Act* 2004 (OHS Act), employers must provide and maintain a work environment that is safe and without risk to the health of their employees, so far as is reasonably practicable. Employees include independent contract workers and any employees of the independent contract worker.

EGSC also extends this responsibility to labour hire agency staff, Councillors, persons seeking employment, consultants, students, trainees and volunteers.

EGSC will ensure that any complainant and respondent are informed of the supports available to them.

Process

Complaints of sexual harassment will be handled in accordance with the Prevention of Sexual Harassment Procedure.

Should you feel you have been sexually harassed or feel you may have witnessed sexual harassment please refer to the process outlined in the Prevention of Sexual Harassment Procedure.

Natural justice and procedural fairness

Both the complainant and respondent are to be afforded natural justice and procedural fairness.

Natural justice is the rules or process to ensure fairness which must generally be followed by a person or body which has power to resolve disputes.

Procedural fairness requires that the alleged perpetrator of sexual harassment has the opportunity to be made aware of and to respond to allegations that may result in any adverse findings made against them.

Findings

A substantiated complaint of sexual harassment may result in a number of outcomes against an individual, including termination of employment or termination of contract or termination of placement or appointment.

Misconduct

The process for managing misconduct will be undertaken under the EGSC Disciplinary Procedure, or Staff/Councillor Code of Conduct or other relevant policy or procedure related to the placement or appointment of the individual.

Criminal matter

Although sexual harassment is generally a civil matter, not a criminal offence, some types of harassment may also be offences under criminal law.

Mandatory notifications

EGSC has staff employed that are required to undertake mandatory reporting requirements as part of their roles.

Additional Considerations

Consent

A key element of sexual harassment is that it is unwelcome.

It is important to note that if a person does not object to inappropriate behaviour at the time; it should not be assumed that they are giving their consent. Consent exists where clear and unambiguous consent has been freely given and continues to be given.

Intent

The *Equal Opportunity Act 2010* and the *Sex Discrimination Act 1984* provide that sexual harassment occurs in circumstances in which the conduct was unwelcome and a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Sexual harassment can still occur even when a harasser does not intend it. Motive is irrelevant; the test focuses on how the behaviour is received by the other person.

EGSC will not excuse sexual harassment which was intended as a joke if it meets the legal definition of sexual harassment.

Technology and social media

Sexual harassment can occur through electronic means (such as emails or text messages or by viewing pornographic websites) and through social media, regardless of whether the post was made during work hours or not. Where there is a link to employment, employees, Councillors, labour hire agency staff members, contract workers, contract workers, consultants, students, trainees and volunteers are subject to the same rules, policies, standards and expectations about sexual harassment in the virtual world as they are in the real world.

Behaviour not considered to be sexual harassment

Romantic or sexual interaction that is entered into freely and is reciprocated between consenting individuals, is not a form of sexual harassment. This includes sexual interaction, flirtation, attraction or friendship which is invited, mutual, consensual or reciprocated action. In circumstances where a relationship is forming or formed within the workplace, it may be prudent for the individuals to declare the situation in-confidence to their supervisor or the Human Resources Coordinator.

This does not mean that sexual or romantic interactions between employees, Councillors, labour hire agency staff members, contract workers, contract workers, consultants, students, trainees and volunteers are always appropriate. Individuals may face disciplinary action where their actions adversely affect other employees or individuals or their workplace responsibilities.

Reprisals and harassment

Any person found to victimise, harass or take reprisal action against people participating in procedures associated with this policy may be subject to separate disciplinary action.

Information or claims without substance

Employees, Councillors, labour hire agency staff members, contract workers, consultants, students, trainees or volunteers found to have knowingly provided false information, or knowingly made allegations of sexual harassment without any substantive merit, may be subject to separate disciplinary action.

Third party sexual harassment

Although it may be difficult to control the actions of third-parties, EGSC will work to minimise the risks of third-party sexual harassment occurring at the workplace so far as is reasonably practicable.

Support

EGSC provides several support options to individuals who feel that may have been sexually harassed or sexually assaulted as outlined in the Prevention of Sexual Harassment Procedure.

Breach of Policy

Any breach of this policy by an employee, Councillor, labour hire agency staff member, contract worker, consultant, student, trainee or volunteer will be considered serious misconduct and action will be taken in accordance with Council's disciplinary and termination procedures or in line with other relevant policies related to the discipline or termination of the placement or appointment.

Roles and Responsibilities

These management positions are responsible for the implementation, communication and compliance monitoring of the policy in their work areas:

Party / Parties	Roles and Responsibilities
Chief Executive Officer	Responsible for: • protecting the health and safety of employees while at work by providing and maintaining a working environment that is safe and without risks to health.
Contact Officers	• To assist with setting a standard of acceptable behaviour in the workplace; • To assist staff who may have a perceived issue related to unlawful discrimination, bullying or sexual harassment in the workplace; • To assist the organisation promote Equal Employment Opportunity and anti-bullying policies and processes.

Party / Parties	Roles and Responsibilities
Coordinators/Managers/General Managers/Team Leaders/Supervisors	• Abide by their responsibilities as employees. • Monitor the work environment. • Promote awareness of this policy within their area. • Treat all complaints seriously and take prompt and appropriate action to address them. • Discuss the complaint with their immediate supervisor as appropriate. • Contact the Human Resources Coordinator for detail on the management of reports of sexual harassment. • Responsible for reporting any form of sexual harassment to Human Resources.
Councillors	Required to treat others with dignity and respect, and engage in their responsibilities in a professional manner, and must not engage in unlawful conduct, including sexual harassment. All Councillor's must: • comply with this policy; • model appropriate behaviour; • participate in any training provided by the EGSC, including completing any assessments; • treat information in relation to claims of sexual harassment with appropriate confidentiality; and • ensure that a person is not victimised for making, or being involved in, a sexual harassment complaint; and Act in accordance with the Councillor Code of Conduct and the EGSC's values, policies and procedures.
Employees/staff, labour hire agency staff, contract workers, trainees, students and volunteers	Required to treat others with dignity and respect, and engage in their responsibilities in a professional manner, and must not engage in unlawful conduct, including sexual harassment. All staff must: • comply with this policy; • model appropriate behaviour; • participate in any training provided by the EGSC, including completing any assessments; • treat information in relation to claims of sexual harassment with appropriate confidentiality; and • ensure that a person is not victimised for making, or being involved in, a sexual harassment complaint; and • act in accordance with the Code of Conduct and the EGSC's values, policies and procedures.

Party / Parties	Roles and Responsibilities
General Manager, Business Excellence	Overall responsibility for the implementation of this policy.
Human Resources Coordinator	In the context of this policy, the Human Resources Coordinator is responsible for: • providing advice in relation to matters covered by this policy; • assisting employees and direct supervisors in understanding their roles and responsibilities; • receiving complaints of sexual harassment; • conducting reviews and/or engaging an independent external reviewer to do so; and • assisting with assessing whether a complaint of sexual harassment requires action under a different process.
Manager People and Capability	Reviewing and updating this policy procedure as required.

References and Supporting Documents

Applicable Legislation:

- Charter of Human Rights and Responsibilities Act 2006
- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009 (Cth)
- Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- Local Government Act 2020
- Occupational Health and Safety Act 2004 (Vic)
- Privacy Act 1988 (Commonwealth)
- Privacy and Data Protection Act 2014
- Protected Disclosure Act 2012
- Public Administration Act 2004
- Racial and Religious Tolerance Act 2001 (Vic)
- Sex Discrimination Act 1984 (Cth)
- Gender Equality Act 2020

Applicable Policy and Procedure:

- Anti-bullying and Harassment Policy
- Bullying and Harassment Resolution Procedure
- Unacceptable Behaviour by Member of the Public Procedure
- Disciplinary Process Policy
- Protected Disclosure Policy
- Workplace Health and Safety Policy
- Drugs and Alcohol in the Workplace Policy

Supporting Documents:

- Staff Code of Conduct
- Councillor Code of Conduct
- EGSC Enterprise Agreement

Privacy and Human Rights Consideration

All personal information collected by East Gippsland Shire Council in connection with the Prevention of Sexual Harassment Policy will be handled in accordance with all applicable privacy legislation and will be used only for the purpose of assessing a disclosure and all information received will be treated with the utmost confidence.

The Prevention of Sexual Harassment Policy has been assessed as compliant with the obligations and objectives of the Victorian *Charter of Human Rights and Responsibilities Act 2006.*

Gender Impact Statement

The Prevention of Sexual Harassment Policy has had a Gender Impact Assessment (GIA) completed and is compliant with the obligations and objectives of the Victorian Gender Equality Act 2020.

This stand-along policy on the Prevention of Sexual Harassment, provides Council with the ability to remove any negative impacts of not having a clearly defined policy and strengthen the ability for all staff including women and gender diverse people to feel confident in Council's expectations and zero tolerance approach towards sexual harassment.

Definitions

Term	Meaning
Allegations	A claim or assertion that someone has done something illegal or wrong, typically one made without proof.
Behaviour	Includes actions of individuals or a group and may involve using a system of work as a means of sexually harassing, victimising, humiliating, undermining, punishing or threatening.
Client	All persons to whom services are provided by EGSC.
Complainant	A person who makes a formal complaint of sexual harassment in a workplace or work-related setting. The complaint may be made internally with an employer or with an external agency.
Complaint	A statement that something is unsatisfactory or unacceptable.
Contact Officer	A staff member who assists employees, labour hire agency staff, contract workers, students, trainees and volunteers who experience discrimination and harassment in the workplace.

Term	Meaning
Contract worker	Person or company engaged to undertake works for Council, including service providers / service partners.
Council	East Gippsland Shire Council
Councillor	Person who has been elected to the office of “Councillor” of East Gippsland Shire Council.
Direct supervisor	The person you directly report to.
Duty of care	Responsibility to take appropriate action in relation to actual or potential harassment or bullying.
Employees	All staff engaged by the East Gippsland Shire Council, including all full-time, part-time and casual employees.
Formal complaints process	Generally initiated by the victim (complainant), will be investigated and can be referred for disciplinary action.
Informal complaints process	A fully voluntary, structured interaction between the parties that is designed to help them address and resolve an issue at the earliest stage possible. Complainant retains the right to withdraw without an agreement or to proceed with an immediate formal process.
Natural justice	Principles, procedures, or treatment felt instinctively to be morally right and fair.
Procedural fairness	Acting fairly in administrative decision making.
Respondent	A person who has been alleged to have sexually harassed others in your workplace.
Risk to health and safety	Includes risk to the mental or physical health of the employee.
Sexual Assault	Unwanted or forced sexual activity without a person's consent.
Sexual Harassment	Unwelcome sexual behaviour, that a reasonable person would consider, could make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written.
Unreasonable behaviour	Behaviour that a reasonable person, having regard to all the circumstances, would expect to sexually harass, victimise, humiliate, undermine or threaten the other person.
Victimisation	To subject or to threaten to subject another person to any detriment because the other person or someone associated with the other person, has made an allegation or complaint of sexual harassment.
Volunteer	Formally recognised, unpaid member of the public who assists with the provision of Council services e.g. Visitor Information Centre/Library.
Zero-tolerance	Council will not tolerate sexual harassment at all.

Revision History and Review

Version Control	Approved Amended Rescinded	Date Effective	Approved By	ECM Document Reference	Summary of Changes
1	Approved	17/05/2022	Council	9499054	New policy

5.3.4 Council Resolutions Register

Authorised by Acting General Manager Business Excellence

Confidentiality Notice

The information contained in **Confidential Attachment 2** and **Confidential Attachment 4** is confidential under section 3(1) of the *Local Government Act 2020* because it relates to: (h) Confidential Meeting Information, being the records of meetings closed to the public under section 66(2)(a).

Pursuant to section 66(5)(b) of the *Local Government Act 2020*, if released, the information discussed or considered in relation to this agenda item could undermine the integrity of Council decision-making processes, disclose sensitive discussions or deliberations, or reveal personal, legal, or commercial information that may prejudice Council or third parties.

Purpose

To provide a status update on resolutions from Council meetings held between 1 July 2026 - 30 September 2026 provided at **Attachment 1** and **Confidential Attachment 2** and the status of actions that were reported as outstanding in the previous quarterly report provided at **Attachment 3** and **Confidential Attachment 4**.

Recommendation

That Council:

1. ***receives and notes the Council Resolutions Update report and all attachments pertaining to this report; and***

2. ***resolves that Confidential Attachment 2 and 4 to this report and all discussions relating to those attachments remain confidential.***

Key Points

The primary role of the Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community. Council must perform its role in accordance with the Overarching Governance Principles as set out in section 9 (2)(i) of the *Local Government Act 2020*, in which one of the principles states '…the transparency of Council decisions, actions and information is to be ensured'.

Reporting on the implementation of Council resolutions supports transparency and demonstrates Council's accountability to the community.

For the period of 1 July 2026 - 30 September 2026 there were 27 Open Council resolutions (including five resolutions for noting only) in the reporting period, of which 26 have been completed, and one is in progress. There were two Closed Council resolutions, of which all have been completed.

Strategic Alignment

This report has been prepared in accordance with the *Local Government Act 2020*, specifically section 9(2)(i) and section 58.

This report has been prepared and aligned with the following theme in the Council Plan 2025-2029:

Theme 4: Managing Council well
Outcome – Decision-making is streamlined, efficient, and responsive to community needs

Consultation/Community Engagement/Impacts

No community or external stakeholder engagement was conducted in developing this report, aside from the internal engagement to compile its content.

Opportunities and Risks

The report supports Council's commitment to good governance by providing an accessible and detailed update on resolution progress.

Conflicts of Interest

Officers preparing this report have no conflict of interest to declare.

Attachments

1. Open Council Meeting Resolutions from 1 July to 30 September 2026 [**5.3.4.1** - 8 pages]
2. CONFIDENTIAL - Closed Council Meeting Resolutions from 1 July to 30 September 2026 [**5.3.4.2** - 1 page]
3. Open Council Meeting Resolutions from 1 April to 30 June 2026 [**5.3.4.3** - 2 pages]
4. CONFIDENTIAL - Closed Council Meeting Resolutions from 1 April to 30 June 2026 [**5.3.4.4** - 1 page]

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
21-07-2026	1.7.1.1	Omeo Justice Precinct and Civic Centre Masterplan	***That Council:*** 1. ***receives the petition;*** 2. ***notes that the petition will be referred to the Executive Manager Place and Community for a report to a future Council Meeting; and*** 3. ***notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions.***	Business Excellence	Governance have acknowledged the petition with outcome of the Council meeting and completed Governance process.	Completed	14-09-2026
21-07-2026	5.1.1	East Gippsland Livestock Exchange Commercial Review - Final Report	***That Council:*** 1. ***notes the East Gippsland Livestock Exchange Commercial Review Final Report as provided at Attachment 1.; and*** 2. ***notes that Officers will progress implementation of the recommended direction as outlined in the report.***	Assets and Environment	The final report has been noted and released publicly. Work has commenced to implement the recommendations outlined in the final report.	Completed	9-09-2026
21-07-2026	5.1.2	21 Year Lease - 70-78 Lucknow Street East Bairnsdale	***That Council:*** 1. ***approves a 21-year term for the lease to the Gippsland and East Gippsland Aboriginal Cooperative for the property at 70-78 Lucknow Street East Bairnsdale for children's and administrative purposes; and*** 2. ***authorises the Chief Executive Officer or delegate to undertake a community engagement (notice of intent to enter into a lease) process in respect of the 21-year term lease to the Gippsland and East Gippsland Aboriginal Cooperative for the property at 70-78 Lucknow Street East Bairnsdale for children's and administrative purposes.***	Assets and Environment	The lease with the Gippsland and East Gippsland Aboriginal Cooperative is almost finalised.	In progress	
21-07-2026	5.1.3	East Gippsland Shire Council Submission to the draft Victorian Waterway Management Strategy	***That Council retrospectively endorses the East Gippsland Shire Council's submission to the Department of Energy, Environment and Climate Action's draft Victorian Waterway Management Strategy as provided at Attachment 1.***	Assets and Environment	Resolution is for noting only.	Completed	14-09-2026
21-07-2026	5.2.1	Planning and Development - Council Policies for Review	***That Council:*** 1. ***adopts the Planning Delegation Policy as provided at Attachment 1;*** 2. ***adopts the Development Plan Policy as provided at Attachment 2;*** 3. ***adopts the Development Compliance Policy as provided at Attachment 3; and*** 4. ***authorises the Chief Executive Officer or Delegate to amend the adopted Policies without formal Council consideration, if the amendments required are of a minor administrative nature.***	Projects and Planning	The adopted policies have been finalised and have been updated on Council's Website.	Completed	9-09-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
21-07-2026	5.3.1	Agriculture Sector Advisory Committee (ASAC) – Minutes of Meeting 21 May 2026	***That Council receives and notes the Unconfirmed Minutes from the Agricultural Sector Advisory Committee meeting held on 21 May 2026.***	Place and Community	Resolution is for noting only.	Completed	9-09-2026
21-07-2026	5.4.1	CON2026 1797 Public Space Closed Circuit TV - Maintenance and Support-Panel of Providers	***That Council:*** 1. ***establishes a panel of suppliers for CON2026 1797 Council Managed CCTV Network – Maintenance and Support;*** 2. ***awards appointment to the panel for CON2026 1797 Council Managed CCTV Network – Maintenance and Support to the tenderers identified as the preferred tenderers in the Tender Evaluation Report provided at Confidential Attachment 1, for an initial term of three years, inclusive of annual Consumer Price Index (CPI) adjustments;*** 3. ***authorises the Chief Executive Officer or delegate to exercise, for CON2026 1797 Council Managed CCTV Network – Maintenance and Support, the two contract extension options, each for a period of up to 36-months, inclusive of annual Consumer Price Index (CPI) adjustments, at Council's sole discretion;*** 4. ***authorises the Chief Executive Officer or delegate to finalise the terms of and to execute the necessary contract documents;*** 5. ***notes that engagement of suppliers from the panel will occur on an as-needed basis in accordance with Council's Procurement Policy provisions for panel arrangements;*** 6. ***notes that the successful tenderers and contract details will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and*** 7. ***resolves that Confidential Attachment 1 to this report and all discussion relating to it remain confidential.***	Business Excellence	Procurement update - Contracts executed.	Completed	4-09-2026
21-07-2026	5.4.2	Review and Rescission of Council Policies	***That Council rescinds the following Council-adopted policies:*** a. ***Advocacy Policy;*** b. ***Coastal Inundation and Erosion Planning Policy;*** c. ***Council Marinas Power Policy;*** d. ***Media Policy;*** e. ***Public Space Closed Circuit Television Surveillance Policy; and*** f. ***Quick Response Capital Fund Policy.***	Business Excellence	Council's resolution has been implemented, including updating relevant records, publication points and communications.	Completed	20-08-2026
21-07-2026	5.4.3	Council Resolutions Register	***That Council receives and notes this report and all attachments pertaining to this report.***	Business Excellence	Resolution is for noting only.	Completed	24-07-2026
21-07-2026	5.4.4	Audit and Risk Committee Meeting Minutes	***That Council notes the confirmed minutes of the Audit and Risk Committee meeting held Monday 25 May 2026, as presented at Attachment 1.***	Business Excellence	Resolution is for noting only.	Completed	24-07-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
18-08-2026	2.1	Planning Delegations Policy	***That Council:*** 1. ***requests the Chief Executive Officer or delegate prepare a report on options to amend the Planning Delegations Policy relating to planning permit applications proposed to be refused under delegation, including:*** 2. ***extending the current call-up period from seven days to 14 days, allowing Councillors to request that a planning permit application proposed to be refused under delegation be determined by Council;*** 3. ***notification arrangements for Councillors, including direct email notification of an officer's intention to refuse an application, with any call-up period commencing from the date of the email;*** 4. ***ensuring the weekly planning update provided to Councillors continues to include:*** 1. ***the application number;*** 2. ***the property address;*** 3. ***the applicant's name (where permitted);*** 4. ***a brief description of the proposal; and*** 5. ***the proposed officer determination;*** 5. ***options for improving Councillor access to information on planning applications that are not publicly advertised; and*** 6. ***any consequential amendments required to Council policies, delegations or Governance Rules.*** 7. ***requests that the report be provided no later than the second Ordinary Council Meeting following adoption of this resolution.***	Projects and Planning	Drafted and listed for the October Council Meeting.	Completed	2-10-2026
18-08-2026	2.2	Buchan Dump Point	***That Council requests the Chief Executive Officer or delegate prepare a report on the Buchan dump point project, including the current status of the project, delivery timeframes, key milestones, project risks, funding status and the anticipated completion date, including any matters impacting delivery of the project by December 2026.***	Projects and Planning	Report listed to come back for the Councillor Briefing on 24/11.	Completed	24-08-2026
18-08-2026	5.1.1	Planning Application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Use and Development of a Medical Centre	***That Council*** 1. ***notes that Council being the Responsible Authority and having considered all the relevant planning matters, determines that Planning Permit Application 5.2025.361.1 is consistent with the requirements and objectives of the East Gippsland Planning Scheme; and*** 2. ***resolves to issue a Notice of Decision to Grant a Permit for the use and development of a medical centre, removal of native vegetation, display of business identification signage, and creation of access to a road in a Transport Zone 2 at 236 Bullumwaal Road Wy Yung, subject to permit conditions as provided at Attachment 1.***	Projects and Planning	This report has been listed to go to the 17 September Council Meeting 2026.	Completed	2-10-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
18-08-2026	5.1.2	CON2026 1786 Howitt Park Pedestrian Bridge Replacement	***That Council:*** 1. ***accepts the tender for CON2026 1786 Howitt Park Pedestrian Bridge Replacement to the tenderer identified as the preferred tenderer in the Contract Award Summary provided at Confidential Attachment 1, for the contract amount specified in that attachment;*** 2. ***authorises the General Manager Projects and Planning to approve variations to the contract up to the contingency amount specified in the Contract Award Summary provided at Confidential Attachment 1, subject to the conditions specified in that attachment;*** 3. ***authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents for the contract awarded under clause 1;*** 4. ***authorises the Chief Executive Officer or delegate to approve a Deed of variation, if required for the contract awarded under clause 1, to provide for fuel cost recovery in accordance with Road Transport Contractual Chain Order made under Part3B-2 of the Fair Work Act 2009;*** 5. ***notes that the successful tenderer and contract amount will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and*** 6. ***resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***	Business Excellence	Procurement update - contract fully executed.	Completed	4-09-2026
18-08-2026	5.1.3	CON2026 1784, CON2026 1785, CON2026 1787 Bridge Replacements Contracts - Lees Road Mossiface, Hollands O'Briens Road Swifts Creek and Healeys Road Marlo	***That Council:*** 1. ***awards the tender for CON2026 1784 – Lees Road Mossiface Bridge Replacement to the tenderer identified as the preferred tenderer in the Contract Award Summary provided at Confidential Attachment 1, for the contract amount specified in that attachment;*** 2. ***awards the tender for CON2026 1785 – Hollands O'Briens Road Bridge Replacement, Swifts Creek to the tenderer identified as the preferred tenderer in the Contract Award Summary provided at Confidential Attachment 1, for the contract amount specified in that attachment;*** 3. ***awards the tender for CON2026 1787 – Healeys Road Marlo Bridge Replacement to the tenderer identified as the preferred tenderer in the Contract Award Summary provided at Confidential Attachment 1, for the contract amount specified in that attachment;*** 4. ***authorises the General Manager Projects and Planning to approve variations to each contract up to the contingency amount specified for that contract in the Contract Award Summary provided at Confidential Attachment 1, subject to the conditions specified in that attachment;***	Business Excellence	Procurement Update - all contracts fully executed.	Completed	4-09-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
			5. ***authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents for each contract awarded under clauses 1 to 3;*** 6. ***authorises the Chief Executive Officer or delegate to approve a Deed of Variation, if required, for each contract awarded under clauses 1 to 3, to provide for fuel cost recovery in accordance with the Road Transport Contractual Chain Order made under Part 3B-2 of the Fair Work Act 2009;*** 7. ***notes that the successful tenderer and contract amount for each contract will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and*** 8. ***resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***				
18-08-2026	5.2.1	Municipal Association of Victorian October 2026 State Council Motion	***That Council approves the Sovereign Wealth Fund motion provided at Attachment 1, for submission to the Municipal Association of Victoria State Council meeting to be held on 23 October 2026.***	Office of the CEO	Motion lodged with MAV 21/8/2026 as per Council Meeting resolution.	Completed	14-09-2026
18-08-2026	5.3.1	Provision of Banking and Associated Services	***That Council:*** 1. ***approves the exercise of the first two-year extension option available under the State Purchasing Contract (SPC) for Banking and Financial Services, continuing the Purchase Order Contract with National Australia Bank (NAB) for the period 1 October 2026 to 30 September 2028; and*** 2. ***authorises the Chief Executive Officer, or delegate, to execute the necessary documentation to give effect to this extension; and*** 3. ***resolves that Confidential Attachment 1 to this report and all discussions in relation to the attachment remain confidential.***	Business Excellence	Procurement Update - Documentation fully executed 30/08/26.	Completed	17-09-2026
18-08-2026	5.4.1	CON2023 1527 Recreation Centre Plant Room Maintenance - Extension Option	***That Council:*** 1. ***approves the twelve-month extension of CON2023 1527 Recreation Centre Plant Room Maintenance from 20 August 2026 to 20 August 2027, in accordance with the tendered schedule of rates to Roejen Services Pty. Ltd. ATF The Roejen Services Unit Trust as provided in Confidential Attachment 1;*** 2. ***authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents; and*** 3. ***resolves that Confidential Attachment 1 to this report and all discussions relating to it remain confidential.***	Business Excellence	Procurement update - all contracts fully executed.	Completed	4-09-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
17-09-2026	1.7.1.1	Active Transport and a Traffic Study at Bairnsdale Regional Hospital Service	***That Council:*** **1.** ***receives the petition;*** **2.** ***notes that the petition will be referred to the General Manager Assets and Environment for a report to a future Council Meeting; and*** **3.** ***notes that the Chief Executive Officer will arrange for Council Officers to write to the head petitioner advising them of these actions.***	Business Excellence	Governance have provided head petition with letter of outcome.	Completed	2-10-2026
17-09-2026	5.1.1	Planning Application 5.2025.361.1 - 236 Bullumwaal Road Wy Yung - Use and Development of a Medical Centre	***That Council:*** **1.** ***notes that, having considered the relevant planning matters and the provisions of the East Gippsland Planning Scheme, Planning Permit Application 5.2025.361.1 does not represent an appropriate planning outcome for the subject land;*** **2.** ***resolves to issue a Notice of Decision to Refuse a Permit for the use and development of a medical centre, removal of native vegetation, display of business identification signage, and creation of access to a road in a Transport Zone 2 at 236 Bullumwaal Road, Wy Yung, for the following reasons:*** **a.** ***the scale, intensity and operational characteristics of the proposed medical centre are inconsistent with the purpose and strategic intent of the Low Density Residential Zone and exceed the level of non-residential activity reasonably anticipated within the zone;*** **b.** ***the proposal would not appropriately respond to or integrate with the established low density residential character of the locality due to its activity levels, traffic generation, parking demand, visual presence and the extent of non-residential activity proposed on the site;*** **c.** ***the proposal would generate vehicle movements that are not compatible with the function and capacity of the existing access arrangement and would unreasonably intensify activity within a predominantly residential environment;*** **d.** ***the proposed signage would result in a visual outcome inconsistent with the preferred character of the surrounding low density residential area;*** **e.** ***Council is not satisfied that wastewater and stormwater generated by the proposed development can be sustainably managed on-site, having regard to the unsewered nature of the land, site topography, land capability constraints, proximity of downhill residential properties and the potential for off-site environmental impacts; and*** **f.** ***the proposal represents an inappropriate intensification of non-residential activity within the Low Density Residential Zone and does not achieve an orderly planning outcome in the context of the surrounding residential area.***	Projects and Planning	Officers have issued the Notice of Refusal.	Completed	1-10-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
17-09-2026	5.1.2	Omeo and Swifts Creek Structure Plans - Adoption	***That Council:*** ***1. adopts the Omeo Structure Plan as provided at Attachment 1 with the following amendment:*** ***a. include an action to review the location of the existing council depot and facilitate relocation to an alternative site;*** ***b. include an action to undertake a car parking strategy; and*** ***c. allow the General Manager, Projects and Planning, to make other minor administrative updates to the document, including references to the Livingstone Creek swimming area and inclusion of the district population data in addition to the township data.*** ***2. adopts the Swifts Creek Structure Plan as provided at Attachment 2 with the following amendment:*** ***a. include an action to advocate for and seek suitable funding streams for sewer to be provided by the relevant authority within Swifts Creek; and*** ***b. allow the General Manager, Projects and Planning, to make other minor administrative updates to the document.***	Projects and Planning	Structure Plan updated as per adopted motions and published on the website as adopted documents.	Completed	1-10-2026
17-09-2026	5.1.3	CON2027 1738 Schedule of Rates Contract for Bituminous Sealing in East Gippsland	***That Council:*** ***1. awards the tender for CON2027 1738 Schedule of Rates Contract for Bituminous Sealing in East Gippsland to the tenderer identified as the preferred tenderer in the Contract Award Summary provided at Confidential Attachment 1, in accordance with the Schedule of Rates set out in that attachment (exclusive of GST), for an initial term of one year, inclusive of annual Consumer Price Index (CPI) adjustments;*** ***2. authorises the Chief Executive Officer or delegate to exercise one year contract extension option, inclusive of annual Consumer Price Index (CPI) adjustments, at Council's sole discretion;*** ***3. authorises the Chief Executive Officer or delegate to finalise the terms and to execute the necessary contract documents for the contract awarded under clause 1;*** ***4. notes that the successful tenderer and contract details will be published on Council's website following execution of the contract documents and after unsuccessful tenderers have been formally notified; and*** ***5. resolves that the Confidential Attachments to this report and all discussions relating to them remain confidential.***	Business Excellence	Procurement Update - Documentation fully executed.	Completed	5-10-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
17-09-2026	5.2.1	Public Art Policy	***That Council adopts the Public Art Policy as provided at Attachment 1.***	Business Excellence	The Public Art Policy has been published on Council's Website.	Completed	5-10-2026
17-09-2026	5.3.1	Annual Financial Statements 2025/26 and Performance Statement 2025/26	***That Council, having considered a recommendation from the East Gippsland Shire Council Audit and Risk Committee:*** 1. ***notes the draft East Gippsland Shire Council 2025/26 Annual Financial Statements provided at Attachment 1 and Performance Statement 2025/26 provided at Attachment 2 prepared in accordance with the Local Government Act 2020;*** 2. ***approves 'in principle' the 2025/26 Annual Financial Statements and the Performance Statement 2025/26 subject to the completion of the Victorian Auditor - General's review;*** 3. ***appoints Councillors Jodie Ashworth and Tom Crook to certify the 2025/26 Annual Financial Statements and Performance Statement 2025/26 in their final form following any amendments recommended or agreed to by the Victorian Auditor-General; and*** 4. ***authorises the Chief Executive Officer, Chief Finance Officer and the appointed Councillors to make any non-material amendments required to finalise the Statements.***	Business Excellence	The financial statement was completed and signed.	Completed	30-09-2026
17-09-2026	5.3.2	Councillor Gift Policy	***That Council adopts the draft Councillor Gift Policy as provided at Attachment 1.***	Business Excellence	Councillor Gift Policy has been published on Councils website.	Completed	2-10-2026
17-09-2026	5.3.3	S6 Instrument of Delegation - Council to Members of Staff	***That Council:*** 1. ***adopts the delegations to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the S6 Instrument of Delegation as provided at Attachment 1, subject to the conditions and limitations specified in the Instrument;*** 2. ***resolves that the S6 Instrument of Delegation provided at Attachment 1 comes into force immediately upon this resolution being made and is to be signed by the Chief Executive Officer;*** 3. ***revokes the existing S6 Instrument of Delegation from Council to Members of Council Staff dated 17 March 2026 upon the coming into force of the Instrument provided at Attachment 1; and*** 4. ***notes that the duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any policies of Council that it may from time to time adopt.***	Business Excellence	S6 Delegation has been actioned and published on Axis.	Completed	2-10-2026
17-09-2026	5.3.4	Audit and Risk Committee Meeting Minutes	***That Council notes the confirmed minutes of the Audit and Risk Committee meeting held Monday 24 August 2026, as presented at Attachment 1.***	Business Excellence	Resolution is for noting only.	Completed	30-09-2026

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
21-04-2026	5 3.1	Planning Scheme Amendment C165egip - Corrections Amendment (Adoption)	***That Council:*** ***1. adopts Amendment C165egip with post exhibition changes, as outlined in Attachments 1 and 4, in accordance with section 29 of the Planning and Environment Act 1987;*** ***2. authorises the Chief Executive Officer or delegate to submit adopted Amendment C165egip as per Attachment 1 together with prescribed information, to the Minister for Planning for approval, in accordance with section 31 of the Planning and Environment Act 1987;*** ***3. having formally considered all written submissions received to Amendment C165egip, notes the issues raised by the submissions and the officer's response to those issues, as outlined in Attachment 3; and*** ***4. authorises the Chief Executive Officer or delegate to advise those persons who made written submissions to Amendment C165egip of Council's decision.***	Projects and Planning	Planning Scheme Amendment has been approved and gazetted by the Minister for Planning	Completed	30-10-2026
19-05-2026	5 1.3	Planning Scheme Amendment C161egip - Update Lakes Entrance Northern Growth Area (Authorisation)	***That Council:*** **1.** ***authorises the Chief Executive Officer or delegate to:*** **a.** ***seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C161egip to the East Gippsland Planning Scheme in accordance with section 16F of the Planning and Environment Act 1987;*** **b.** ***prepare Planning Scheme Amendment C161egip to the East Gippsland Planning Scheme, generally in accordance with the documentation provided at Attachment 3, subject to ministerial authorisation; and*** ***2. place Planning Scheme Amendment C161egip on public exhibition in accordance with section 19 of the Planning and Environment Act 1987, subject to ministerial authorisation.***	Projects and Planning	Planning Scheme Amendment has been authorised by the Minister for Planning and exhibited.	In progress	

Meeting Date	Item No.	Item	Resolution	Directorate	Action Taken	Status	Completed Date
23-06-2026	5.1.1	Raymond Island Ferry Passes	***That Council:*** 1. ***notes the outcomes of community consultation undertaken in response to Council's resolution at the Council Meeting held on 16 September 2025 (Item 5.1.1 Raymond Island Ferry Pass Review) and the findings of early investigation into ferry access and technology options;*** 2. ***adopts a revised approach to the Raymond Island Ferry resident pass system as follows:*** a. ***owners of developed land on Raymond Island will continue to have access to one portable resident pass (currently in circulation) as a baseline level of access, with no expiry date;*** b. ***eligible residents and owners of developed land on Raymond Island, including renters, may apply for one additional portable pass per eligible driver with suitable evidence, with passes valid for three years; and*** c. ***additional portable passes may be issued upon application in defined circumstances to support carer arrangements, subject to provision of suitable evidence;*** 3. ***subject to Council's approval of recommendation 2, notes that the revised Raymond Island Ferry resident pass system will be implemented to coincide with the scheduled renewal of passes in September 2026;*** 4. ***notes residents and owners of developed land on Raymond Island who, from time to time, may not have a portable pass available at the point of boarding the Raymond Island Ferry, may access the Raymond Island Ferry through presentation of valid photo identification, supported by appropriate verification of eligibility;*** 5. ***notes emergency services and eligible not-for-profit organisations providing regular services to Raymond Island continue to be exempt from fees for access to the Raymond Island Ferry;*** 6. ***notes the intent to update the Raymond Island Ferry Service Charter to reflect the changes outlined in this report;*** 7. ***notes Officers will further investigate voluntary or donation-based contribution models for walk-on passengers on the Raymond Island Ferry; and*** 8. ***notes Officers will further investigate more contemporary approaches to managing Raymond Island Ferry access, including opportunities to digitalise and automate access.***	Assets and Environment	The business rules for the new Raymond Island Ferry pass system have been developed, with process mapping and establishment of the supporting register currently nearing completion. Existing interim passes issued with an expiry date of 31 August 2026 remain valid until the new passes are available for collection. Communication to residents and distribution of the new passes is now anticipated to occur in late October 2026.	In progress	

6 Urgent Business

7 Confidential Business

8 Close of Meeting